

Professional Standards Prosecutor/Police Association Representative Course

The Ottawa Police Association in conjunction with Loyalist College are pleased to offer a four-day ***Professional Standards Prosecutors/Police Association Representatives Course*** from January 29 to February 1, 2018. This course is specifically designed for individuals who are involved with the prosecution or defence, including informal resolution of matters under Part V of the *Police Services Act* and other allegations of misconduct under the *Occupational Health and Safety Act*, *Ontario Human Rights Code*, and other work-related legislation.

This non-credit course is also ideal for police supervisors and senior officers who oversee police discipline matters, police officers involved in professional standards investigations, and police association representatives. Emphasis is placed on police management and police associations working together particularly on internal matters that can be resolved within the organization.

This is an intensive four-day course, which includes an exam and an in-class assignment. A wide range of topics include:

- Overview of the Police Discipline System
- Current Trends & Issues in Professional Standards including Case Law Updates
- PSA Hearing Process
- Role of the PSA Prosecutor
- Role of the Defence/Police Association Representative
- Overview of the Public Complaints System Alternate Dispute Resolution
- Evidentiary Issues, and Case Preparation for Hearings
- PSB Investigations/Evidentiary Issues
- Instruction also includes the *Code of Conduct* (O. Reg. 268/10) and other related regulations, *Statutory Powers Procedure Act*, *Provincial Offences Act*, the *Ontario Human Rights Code*, and the *Judicial Procedure Review Act*.
- Preparing and Writing Prosecution & Defence Submissions.

Safer Ontario Act, 2017: One half day is spent on some aspects of the *Safer Ontario Act, 2017*. This lecture will highlight some of the significant changes in the legislation once it has received Royal Assent and is proclaimed. This is a panel presentation.

Special Note: Emphasis is placed on matters that involve complex motions, dismissal and in some cases demotion, then these matters should be referred to and handled by legal counsel.

Course Syllabus: Attached

Assessment Standards

Written exam, group work, and in-course assignment are part of the assessment process. Candidates must successfully complete the above assessment criteria. Assessment is based on a Pass (P) or Fail (F). **Successful candidates receive a course certificate.**

Candidate Eligibility: Police officers, lawyers and police association representatives involved in police discipline matters including hearings pursuant to Part V as well as informal resolutions, alternate dispute resolution processes, and human resource management. Lawyers may apply for accreditation to the Law Society of Upper Canada for Professional Development Hours.

Attire: Business Casual

Certification: A Certificate of Competition will be issued by Loyalist College.

Course Location: Ottawa Police Association, 200-141 Catherine Street, Ottawa, ON K2P 1C3
T - 613-232-9434 • F - 613-232-1044
<http://www.ottawapa.ca/>

Hotel Registration:

Best Western Plus Ottawa Downtown Suites, 377 O'Connor St, Ottawa, ON K2P 2M2
Phone: (613) 567-7275. A block of rooms have been set aside in the name of the Ottawa Police Association Training. Corporate Rate **\$140.00** per night plus taxes plus parking.

Registration Fee: \$1200.00 plus HST. Registration **includes** the following:

- Textbook: Blake, S. (2017). *Administrative Law in Canada, 6th Edition.*
- Course Materials
- Coffee & snack breaks, and lunch

Note: Optional Text can be purchased on the course: Ceysens, P. & Childs, S. (2017), *Ontario Police Services Act*, fully annotated, Salt Spring Island, BC: Earls court). If you have a copy of this text, please bring it with you to the course.

Course Date: January 29 – February 1, 2018. 8:00 a.m. – 5:00 p.m. **Registrations accepted until January 15, 2018.**

Course Registration

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Note: This course is typically a five-day course but has been condensed into four days with a nine-hour work day. Loyalist College gratefully acknowledges the leadership and generosity of Ottawa Police Association Matt Skof and the Board of Directors in co-hosting this course.

Professional Standards Prosecutor/Police Association Representative Course – Co-hosted by the Ottawa Police Association and Loyalist College, Belleville January 29 – February 1, 2018 (4 days)				
Time	Monday, Jan. 29, 2018	Tuesday, Jan. 30, 2018	Wednesday, Jan. 31, 2018	Thursday, Feb. 1, 2018
08:00 – 10:00	Orientation – Introductions • Course Objectives • In-course Assignment • Pre-course Exam • Natural Justice & Procedural Fairness	Role of PSA Prosecutor • Function the Prosecutor • Prosecutor Conduct-Ethics • Forms – Designation, NOH • Adjournments • Production/Disclosure • Document Preparation	Overview of Public Complaint System • Part V, PSA • OIPRD Rules/Standing/ • Investigations • Request for Review • Appeal & Judicial Review • CSR & Mediation	Formal Presentations <i>The Kidd Case - Disposition</i> • Prosecution Submissions • Defence Submissions
10:30 – 12:00	Current Trends & Issues • Case Law Developments • Abuse of Process • Lessons Learned Overview of PSA Disciplinary System • Goals – Police Discipline • Parties/SPPA • Starting the Process	• Witness Preparation • McNeil & O’Connor • Character References • Accommodation/PTSD • Resignations/Retirements • Parallel Criminal Charges <hr/> 11:00 a.m. Matt Skof Role Police Association Rep. • Duty - Fair Representation • Informed Consent – Reps	PSB Investigations/Evidentiary Issues • The Complaint & Notice • Principle of Discoverability • The Investigative Report/Notes • Investigative/Event Chronology • Standard to substantiate • Compelled Statements • Performance v Misconduct • Informal Resolution Process • Mediation & Education-based Discipline	The Hearing Officer • The “Not Guilty” Plea • The “Guilty” Plea • Motions – Legal Advice - Bias • The Script • Writing the Decision (Four Corner Rule) (Credibility & Reliability) • Writing the Disposition • Conduct in the Hearing Room
12:00	Lunch	Lunch	Lunch	Lunch
13:00 – 14:30	The Hearing Process • Principles Governing Dispositions • Principle of Proportionality	Matt Skof - Role of Police Association Rep • Knowing your limitations • Motions, 25.1 Rules • Joint Submissions • PTSD & Accommodation	O. Reg. 268/10 • Code of Conduct • S. 80, PSA • Multiple Misconducts • Off-Duty Conduct • Unsatisfactory Work Performance	• PANEL - Safer Ontario Act, 2017 (Prosecution/Defence/Association) • <i>Police Services Act, 2017</i> • <i>Policing Oversight Act, 2017</i> • <i>Ontario Policing Discipline Tribunal Act, 2017</i>
14:30 – 16:30	Preparing and Writing Prosecution & Defence Submissions (Kidd Case) • In-class Assignment	Preparing and Writing Prosecution & Defence Submissions (Kidd Case) • In-class Assignment	Preparing and Writing Prosecution & Defence Submissions • In-class Assignment <i>The Kidd Case</i> (pairs)	Final Exam & Review
16:30 17:00	Exam Review	Exam Review	Exam Review	