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## Inspector General of Policing Memorandum and Advisory Bulletin

**TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Service Boards

**FROM:** Ryan Teschner, Inspector General of Policing of Ontario

**DATE:** **March 20, 2025**

**SUBJECT:** Inspector General Memo and Advisory Bulletin #3:  
Municipal Police Service Board Policy on Critical Points

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I am writing to share information and advice with you regarding the Toronto Police Service Board's (TPSB) recently approved policy on "critical points," which was first recommended by The Honourable John W. Morden in his 2012 report of the *Independent Civilian Review into Matters Relating to the G20 Summit* (the Morden Report).

### **A. The need for a "critical points" policy to support a police service board's statutory governance role**

The Critical Points Policy, developed in collaboration between the TPSB and Chief Demkiw, responds to Judge Morden's recommendation that there be greater definition and clarity regarding the role of police service boards in providing civilian oversight of the police service during significant events. The need for a policy on critical points has been consistently supported in other reviews and reports examining the role of civilian police governance in the context of significant policing events, including The Honourable Murray Sinclair's report on the *Thunder Bay Police Services Board Investigation* and The Honourable Gloria J. Epstein's report on the *Independent Civilian Review into Missing Person Investigations* (*Missing and Missed*).

The Morden Report discusses the fundamental role of civilian oversight in policing, and describes two essential components of a police board's oversight role, both of which are

supported by a policy that requires information sharing, discussion and reporting over the life cycle of a critical point:

*The Governance Component: this represents the authority and responsibility for the development of policies that become the framework within which decisions will be made and actions will be taken by the police service. This is intended to ensure that the police service fulfills its legislated function with due respect to community norms.*

*The Accountability Component: the process by which actions and activities already carried out by the police service are evaluated to ensure they are consistent with existing policies. This is intended to ensure that decisions which have been taken can be evaluated and addressed in a transparent manner and that lessons learned can be applied to future decisions.<sup>1</sup>*

## **B. Inspector General's advice for municipal police service boards to develop a "critical points" policy**

I am sharing the TPSB's Critical Points Policy as part of my advisory role under section 102(4) of the *Community Safety and Policing Act, 2019* (CSPA), as a response to these consistent and longstanding recommendations, and in recognition of various recent policing events across this province that may reach the critical points threshold. Embedding and then operationalizing a critical points policy is an important step in modernizing the approach municipal police services and boards across Ontario take to their respective roles, and will serve to strengthen Ontario's policing system in a manner that is consistent with the overall modernization the CSPA was intended to achieve. Therefore, **I advise all Ontario municipal police service boards to review the Policy and, in consultation with chiefs of police and other local stakeholders as may be required, to develop and implement your own policy on critical points soon.**

Please note that this advice is intended for municipal police service boards only and is **not** applicable to OPP detachment boards.

A policy will create a **clear definition** for which significant events reach the 'critical point' threshold. A policy will also formally establish a **reciprocal 'information exchange'** for chiefs and boards to provide information to one another that is relevant to their respective roles. As Judge Morden explained: "With this exchange, the Board will be provided with operational information that will inform its policy-making function and the Chief of Police will have an opportunity to provide his or her views on policy options the Board is considering. With this exchange, both policies and operations may be adjusted to address changing circumstances."<sup>2</sup> With this 'information exchange' in place, boards can assess the need to set objectives and priorities for how such events are managed and

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<sup>1</sup> The Honourable J. W. Morden, *Independent Civilian Review into Matters Relating to the G20 Summit* (Toronto, 2012), page 83 (Morden Report).

<sup>2</sup> Morden Report, page 7.

turn their attention to other governance responsibilities that may arise in the context of a critical point. This would include, for example, determining the adequacy of board policies, resources and arrangements with other agencies and orders of government.

I further advise boards to ensure that the implementation of a policy on critical points includes thoughtful review of the TPSB Policy as a starting point, but **expect that factors affecting local policing needs will be considered to develop a policy that is reasonable and relevant for the jurisdiction**. I encourage you to engage your Inspectorate of Policing (IoP) Police Services Advisor for further advisory support as you undertake this work.

When developing your board's own policy on critical points, I have the following additional advice when considering the TPSB Policy:

Reporting on Critical Points, TPSB Policy, section 2, item iv:

A recent revision to CSPA section 19 has transferred authority for requests for temporary policing assistance from boards to chiefs of police. To ensure alignment with the CSPA, in place of item iv in the list of information to be reported by the chief to the chair in the TPSB's current Policy, I recommend the following wording:

"Any plans to involve other organizations, including requests to chiefs of police for temporary assistance pursuant to section 19 of the *Community Safety and Policing Act*."

Chief's Autonomy, TPSB Policy, section 8:

The TPSB Policy reiterates a board's authority to set objectives and priorities and a chief's statutory authority to make and execute the operational plans to achieve them. If the board's objectives are not being met, the chief should be expected to provide information to the board on why and advise on appropriate measures. I urge you to consider the following amendments to the TPSB's Policy, in **bold**:

"If, during the duration of a Critical Point, the Board concludes that, in its view, the **Board's** objectives are not being achieved, the Board will inform the Chief of Police of its conclusion. **The Chief will respond by informing the Board on corrective measures or the operational necessity of deviating from the Board's objectives.** However, the Chief of Police will remain autonomous in determining the appropriate execution of the plans in order to achieve the mission, objectives and priorities."

**C. Engagement of the Ontario Association of Chiefs of Police (OACP) and the Ontario Association of Police Service Boards (OAPSB)**

As part of our ongoing collaboration with the OAPSB and the OACP, the IoP engaged both organizations to understand any additional considerations on developing or

implementing a policy on critical points. Given the significance of this policy in helping embed components of a modern approach to police service boards' governance responsibilities and the operational responsibilities of chiefs of police, we greatly appreciate the support of the OAPSB and OACP on this issue, and their ongoing commitment to advancing initiatives that support Ontario police and police governance leaders in raising the performance bar in police governance and operations.

**D. The IoP will continue to support boards and services in compliance and implementing leading practices**

As the IoP gains further operational experience and insights, and through continued engagement with Ontario's policing sector, I will continue to share information and advice on compliance with the CSPA and leading practices that will enhance civilian police governance and improve the delivery of police services. In addition, the IoP will work to create additional resources and opportunities to support the implementation of my advice across the Ontario policing sector.

I trust this information will be helpful to you. Again, I encourage you to reach out to your IoP Police Services Advisor to discuss this matter further.

All IG Memos and Advisory Bulletins are posted on our website: [www.iopontario.ca](http://www.iopontario.ca).

Sincerely,



*Ryan Teschner*  
**Inspector General of Policing of Ontario**

c: Mario Di Tommaso, O.O.M.  
Deputy Solicitor General, Community Safety

*Note: Advisory Bulletins are the IG's advice provided pursuant CSPA s. 102(4) and are intended as a resource for the sector by offering the IG's general interpretation of various provisions of the CPSA. Advisory Bulletins are not legally binding, and they do not purport to address all possible factual scenarios or circumstances. As such, you may wish to consult with legal counsel to determine how this general guidance should be applied in your own local context and to navigate specific situations.*



# TORONTO POLICE SERVICE BOARD

## CRITICAL POINTS POLICY

<b>DATE APPROVED</b>	January 14, 2025	<b>Minute No:</b> P2025-0114-4.0
<b>DATE(S) AMENDED</b>		
<b>REPORTING REQUIREMENT</b>	As needed	
<b>LEGISLATION</b>	<i>Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ss. 37(1)(a) and (f), and 38(1)(a) and (b).</i>	

## GUIDING PRINCIPLES

Information sharing between the Toronto Police Service (Service) and the Toronto Police Service Board (Board) is foundational to the Board's effective execution of its oversight responsibilities. In particular, information sharing is crucial during times of elevated organizational risk, such as when facing large-scale events.

This Policy defines such **Critical Points** and sets out a process to guide the Chief of Police and the Board in identifying them, and ensuring the flow of relevant information from the Service to the Board, so that the Board can most effectively carry out its oversight and governance role, including creating and amending Board policies, setting priorities, asking questions, and providing non-binding advice in relation to operational matters.

The Board acknowledges there are limits to the direction that the Board may give to the Chief of Police, and the importance of respecting those limits. The Board is prohibited by law from directing the Chief of Police with respect to specific investigations, or the conduct of specific operations. Therefore, while the Board may set objectives and priorities for the policing of a Critical Point, the Chief of Police has the authority to determine the methods by which the objective, priority, or outcome will be achieved.

This Policy will not prevent or restrict the Service from exercising its policing powers and authorities, in emergent circumstances, to protect community safety.

## PURPOSE OF POLICY

The purpose of this Policy is to:

- Define the term Critical Point and provide clear and consistent assessment criteria for use in identifying Critical Points as they arise
- Describe the type of information the Board requires from the Chief in order to assess potential Critical Points;

- Describe the information sharing process between the Board and the Service when a Critical Point has been identified/confirmed;
- Strengthen oversight of the Service, consistent with the Board's legislative responsibilities;
- Ensure accountability of the Service to the Board; and
- Ensure that the Chief of Police can discharge their duties according to law.

## **POLICY OF THE BOARD**

It is the Policy of the Board that:

### *Definitions*

1. **Critical Point:** A matter of strategic significance that is time-sensitive and which rapidly elevates the Board's operational, financial, reputational or other enterprise risk, and, therefore, calls for the Board's immediate attention and/or preparedness to take action.

For example:

- a. Large scale operations or events for which advance planning and approval by the Service's Command is required;
- b. Events or operations that are likely to have a material impact on the Service's relationship with, and service to, marginalized and vulnerable communities;
- c. Events or operations that raise significant questions of public policy; or
- d. Credible external or internal complaints, including complaints regarding workplace discrimination or harassment, against individual officers and the Service, and findings by other tribunals related to discrimination, where such complaints or findings raise significant systemic issues.

For clarity, the above examples are not exhaustive.

### *Reporting on Critical Points*

2. The Chief of Police will inform the Chair or their designate of any situation in which the Chief of Police believes a Critical Point has emerged or is likely to emerge and provide the Chair, in writing, with further information regarding the Critical Point, including, as appropriate:
  - i. The general nature of the Critical Point;
  - ii. The elevated risk(s) posed by the Critical Point;
  - iii. Relevant operational and other information necessary for the Board to understand the details of the Critical Point, including an outline of the operational plan, and continuity of service plans;
  - iv. Any plans to involve other organizations, including, in the case of other law enforcement agencies, recommendations to the Board to

- make requests of other boards or the Ontario Provincial Police Commissioner;
  - v. An estimate of the financial impact;
  - vi. Relevant legislation and other legal requirements that may apply including the need for additional authorities; and
  - vii. Any ongoing considerations, including resources needed, or policy impacts.
3. The Chair will share the information provided by the Chief of Police with Board Members, all of which will be held in the strictest of confidence.
  4. The Chair, in consultation with the Board Members, and in accordance with the Board's Procedural Bylaw, will determine whether there is a need to obtain additional information, create or amend Board policies, and/or provide direction to the Chief in accordance with the Board's policies, duties and responsibilities, including setting objectives and priorities, and if so, whether to call a Special Meeting of the Board, or to include the Critical Point as an item on the Agenda of the Board's next regularly scheduled meeting.
  5. The Chief will continue to update the Board, through the Chair, on any significant developments, including once the Chief of Police determines that the Critical Point has concluded. In consultation with the Board Members, the Chair may call a Special Meeting of the Board at any time or include an item on the Agenda of a regularly scheduled Board Meeting, to discuss the Critical Point.

#### *Identification of Critical Points by the Board*

6. When the Chair believes, or is advised by a Board Member(s) that they believe, that a planned or anticipated event may constitute a Critical Point, the Chair shall request the Chief of Police to consider whether, in their view, the event may meet the definition of Critical Point, and either report to the Board in accordance with this Policy, or, alternatively, provide to the Chair reasons that the event in question does not meet the definition of a Critical Point.

#### *Chief's Autonomy*

7. Once the Board has been given the opportunity to set objectives, ask questions, and provide non-binding advice in relation to operational matters, where applicable the Chief will maintain the autonomy to finalize and execute the plans.
8. If, during the duration of a Critical Point, the Board concludes that, in its view, the objectives are not being achieved, the Board will inform the Chief of Police of its conclusion. However, the Chief of Police will remain autonomous in determining the appropriate execution of the plans in order to achieve the mission, objectives and priorities.

### *Training*

9. The Chief will provide training to ensure that all Command and Service Members from the rank of Inspector and above are trained to recognize the circumstances that may lead to a Critical Point, and to inform the Chief of Police and Command when a potential Critical Point is identified; and
10. The Board will ensure that all new Board Members receive training to understand the definition of a Critical Point, and effectively understand their responsibilities with regards to the consideration of Critical Points.

### *Public Reporting*

11. Subject to operational considerations and the advice of the Chief of Police, the Board will publicly disclose, where it is possible to do so without risking the effectiveness of the operation or any other operations, the safety of Service Members or members of the public, or any other operational considerations raised by the Chief:
  - a. The nature of the operational matter related to a Critical Point; and
  - b. Any directions given to the Chief of Police related to a Critical Point.