



**Inspectorate
of Policing**

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**Service d'inspection
des services policiers**

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August 12, 2024

Via email: donovandih@gmail.com



Dear Ms. Donovan:

Re: IOP Complaint Number: 24-31

The Inspector General for Policing has reviewed your complaint filed through the Inspectorate of Policing online portal on April 30, 2024. Based on our review of your complaint pertaining to the conduct of the Waterloo Regional Police Service Board, the Inspector General has determined that section 106(2)(b) of the *Community Safety and Policing Act, 2019* (CSPA) applies, and it would not be in the public interest to investigate your complaint.

The following is an explanation for that decision.

Your complaint

In your complaint you indicate that in May 2017 you began to negotiate your resignation from employment with the Waterloo Regional Police Service Board (WRPSB). You note that you informed the Board that you would only resign if you maintained your ability to speak about your experiences. You further note that you have a voicemail message from a lawyer representing the Board indicating that the service was not trying to restrict you from speaking out. You have indicated that after negotiating the clauses contained in your resignation agreement you were satisfied with the document and on June 8, 2017, you entered the contract to officially resign from the Waterloo Regional Police Service.

You advise that in June 2018, the WRPSB filed a Human Rights Tribunal of Ontario (HRTO) application against you alleging that when you “speak out” you are violating your resignation agreement. You note that you feel that you are not in violation of your resignation agreement and that you feel that the WRPSB has spent public funds knowing that they have no basis in proceedings with you before the Superior Court of Ontario, the Court of Appeal for Ontario, and Ontario Divisional Court.

The Inspector General of Policing’s mandate

The Inspector General of Policing has jurisdiction over complaints related to compliance with Ontario's *Community Safety and Policing Act, 2019* (CSPA) and its regulations by police services, police service boards, and organizations that employ special constables. The Inspector General of Policing also responds to complaints about adequate and effective policing, the policies and services of boards and chiefs of police, and allegations of misconduct by police service board members.

Our decision concerning your complaint

The Inspector General of Policing’s jurisdiction to deal with complaints is governed by the CSPA. All complaints are given serious and full consideration, and the Inspector General employs a rigorous assessment process to identify complaints which warrant investigation.

Section 106(2)(b) of the CSPA permits the Inspector General to decline to investigate a complaint where they have formed the opinion, having regard to all the circumstances, that dealing with the complaint is not in the public interest. In this case, the Inspector General has concluded, based on a review of your complaint, as well as having considered the criteria delineated in subsections 106(3)(a)-(d), that it is not in the public interest to proceed with an investigation for the following reasons.

First, in reviewing the content that you have provided in your complaint, it is apparent that the acts underlying your complaint pre-dates the coming into force of the CSPA on April 1, 2024.

Second, your complaint makes clear that other forums, such as proceedings in the Superior Court of Ontario, the Court of Appeal for Ontario, Ontario Divisional Court, and the Human Rights Tribunal of Ontario, have been engaged with respect to the subject matter of your complaint.

Finally, there is no specific information provided by you in your complaint which discloses any potential misconduct having been or being committed by specified members of the WRPSB. Section 106 of the CSPA permits the Inspector General to receive, and where appropriate investigate, alleged misconduct of police service board members, not allegations made against a police service board as an entity.

Consequently, it is for all of these reasons that the Inspector General has determined that it is not in the public interest to investigate your complaint.

Our file is now closed.

Yours truly,

Joseph Maiorano
Deputy Inspector General

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