



**TERMS OF REFERENCE: Thunder Bay Police Service
(TBPS) Investigation**
(Disponible en Français)

1. On April 29, 2021, the Thunder Bay Police Services Board (TBPSB or Board) requested an investigation into Thunder Bay Police Service (TBPS or Service) Chief Sylvie Hauth, Deputy Chief Ryan Hughes and Legal Counsel Holly Walbourne pursuant to the Commission's authority under s. 25 of the *Police Services Act (PSA)*.
2. On January 22, 2022 Solicitor General Ms. Sylvia Jones requested a s. 25 investigation into senior members of the TBPS as it relates to the investigation of Board Member Georjann Morriseau, the management of discipline with the TBPS and its administration.
3. On January 28, 2022, the TBPSB notified the Commission of the suspension of TBPS Deputy Chief Ryan Hughes and requested the Commission to assign the chief of police of another police service to conduct an investigation.
4. In response to these requests for Commission intervention, the Commission conducted a preliminary review. Based on that review, I am satisfied that the circumstances require a thorough investigation.
5. On February 10, 2022, the Commission, on its own motion, decided to conduct an investigation pursuant to ss. 25(1)(a) and (b) of the *PSA* into:
 - (a) Allegations that TBPS Deputy Chief Ryan Hughes:
 - initiated a criminal investigation into Board Member Morriseau for alleged breach of trust by a public official, without sufficient grounds and without the Chief's knowledge, despite an apparent conflict of interest in investigating a member of the Board;
 - directed a subordinate to obtain a *Criminal Code* Production Order for information from Board Member Morriseau's cell phone on misleading grounds, which was obtained, without the Chief's knowledge;
 - (b) Allegations that TBPS Chief Sylvie Hauth:
 - failed to take appropriate steps to address Deputy Chief Hughes' aforementioned actions;
 - provided misinformation to the Thunder Bay Police Services Board regarding the aforementioned investigation;
 - failed to take appropriate steps to address the allegations of misconduct relating to certain members of the Thunder Bay Police Service; and

(c) Allegations that Chief Hauth, Deputy Chief Hughes, and Ms. Walbourne colluded in their responses to recent inquiries from the Ontario Civilian Police Commission relating to the Board's request for investigation under subsection 25 (1) of the *PSA*.

6. The above allegations, if proven, may amount to serious misconduct under the Code of Conduct provisions of O.Reg 268/10 to the *PSA*, and, in the case of the Chief, may constitute a failure to perform the duties set out in subsection 41 (1) of the *PSA*. They raise serious concerns about the management of discipline in the police service, the conduct of criminal investigations by its officers, and the ability of senior leadership to administer the day-to-day operations of the police service in good faith and in compliance with the *PSA*.
7. Further, the investigation will inquire into the administration of the TBPS in light of the Chief's and Deputy Chief's conduct and performance of duties, described above, and their relationship to the Board.
8. The Commission may also add and/or amend issues to investigate or named parties to the Terms of Reference at any time throughout the investigation as new information presents itself.



Sean Weir
Executive Chair, Tribunals Ontario
Ontario Civilian Police Commission

Dated: February 10, 2022