

**Ministry of the Solicitor General**Public Safety Division  
Public Safety Training Division25 Grosvenor St.  
12<sup>th</sup> Floor  
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Facsimile: (416) 314-4037**Ministère du Solliciteur général**Division de la sécurité publique  
Division de la formation en matière  
de sécurité publique25 rue Grosvenor  
12<sup>e</sup> étage  
Toronto ON M7A 2H3Téléphone: (416) 314-3377  
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**MEMORANDUM TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Services Boards

**FROM:** Ken Weatherill  
A/Assistant Deputy Minister  
Public Safety Division

**SUBJECT:** **Issues Related to the *Protection of Persons  
Administering and Enforcing the Law - Sections 25.1 to  
25.4 of the Criminal Code of Canada.***

<b>DATE OF ISSUE:</b>	<b>July 6, 2023</b>
<b>CLASSIFICATION:</b>	<b>General Information</b>
<b>RETENTION:</b>	<b>July 20, 2023</b>
<b>INDEX NO.:</b>	<b>23-0052</b>
<b>PRIORITY:</b>	<b>HIGH</b>

**Requirement for Annual Reporting**

The ministry is required to prepare a report for the period of February 1, 2022 to January 31, 2023 consistent with the statutory requirement to make public an annual report on the use of specific portions of the law enforcement justification provisions by police services in Ontario, as stated in s. 25.3 of the *Criminal Code*. In order to comply with this obligation, we require the following information:

- **Number of Designations by a Senior Official Under Subsection 25.1 (6):**  
State the number of times a Senior Official made emergent designations and the nature of conduct being investigated in these instances. As per this subsection, a Senior Official may temporarily (48 hours) designate a Public Officer in circumstances which require such quick police response that awaiting the Minister's approval of designation through the normal protocol may affect the timeliness of a critical investigation.
- **Number of Authorizations by a Senior Official Under Paragraph 25.1 (9)(a):**  
State the number of times a Senior Official provided written authorization to a Public Officer to commit an act or omission – or direct its commission - that would otherwise constitute an offence and which was likely to result in serious loss of or

damage to property, prior to the act(s) or omission(s) being committed. State the type(s) of act(s)/omission(s) that was committed.

- **Number of Times that Acts or Omissions Were Committed by Public Officers in Accordance With Paragraph 25.1 (9)(b):** State the number of times that a Public Officer, due to exigent circumstances and without prior written approval from a Senior Official, committed an act or omission – or directed its commission – that would otherwise constitute an offence and which was likely to result in serious loss of or damage to property. State the type(s) of act(s)/omission(s) that was committed.

In order to maintain consistency in the ministry's reporting, the attached reporting template provides you with general categories for (a) nature of conduct being investigated and (b) types of acts or omissions authorized to be committed, or committed, by a Public Officer or directed by a Public Officer, which would otherwise constitute an offence. The categories are accessible by drop-down boxes embedded within the form. The document is protected when completed.

Please complete the attached reporting template and return it to the Criminal Intelligence Service Ontario (CISO) by **July 20, 2023**. Replies or questions may be emailed with encryption directly to [c24@ontariocis.ca](mailto:c24@ontariocis.ca).

Sincerely,

*K. Weatherill*

Ken Weatherill  
A/Assistant Deputy Minister  
Public Safety Division

Attachment

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

Creed Atkinson  
Chief of Staff, Ministry of the Solicitor General