



GREATER SUDBURY POLICE SERVICE BOARD POLICY

SUBJECT: LEGAL SERVICES	NUMBER: PSB017
ORIGINATING DATE: February 14, 2011	REVISED DATE: December 17, 2025
REPORTING REQUIREMENTS: Annual	

1.0 LEGISLATIVE REFERENCE / AUTHORITY

- 1.1 Section 38 (1)(a) of the *Community Safety and Policing Act* states that the Board shall establish policies for the effective administration of the police force. This policy provides direction with regard to the provision of legal services, including delegations of responsibility.

2.0 LITIGATION AND GENERAL COUNSEL

2.1 THE BOARD

As a normal consequence of its operations and the exercise of its responsibilities, the Board is involved in litigation both as Plaintiff and Defendant before the Courts and various administrative tribunals. The Board has overriding authority to commence, manage and settle all legal matters involving the Greater Sudbury Police Service. For administrative and other reasons, the Board has delegated its authority over a variety of legal matters as set out in this policy.

2.2 LEGAL COUNSEL

- a. Legal Counsel shall be retained by the Board to defend, prosecute and advise on all matters or actions brought by or against the Board, subject to such instructions as may be issued by the Board from time to time. In the conduct of such litigations, the more efficient combinations of staff and external legal services as required to represent and defend the interests of the Board in each issue at hand shall be retained. Such counsel shall be retained by the Chief of Police or the Police Service Board; and

- b. In the case of a complaint about the Chief, the Board shall have the sole authority for retaining counsel, providing direction and taking whatever action is deemed necessary by the Board to deal with such action.

2.4 CHIEF OF POLICE

- a. The Chief of Police shall advise the Board of any action brought to their attention. Similarly, the Chief of Police shall advise the Board on the defence, prosecution, conduct, or settlement of any matter or action brought by or against the Board; and
- b. The Chief shall seek direction for the Board in any situation in which he/she feels it is appropriate to do so.

2.5 DISAGREEMENT

Notwithstanding any other provision, when consultation with counsel and the Chief of Police is warranted and such consultation does not result in agreement on the course of action to be taken, the matter shall be referred to the Board for resolution.

2.6 RELATED MATTERS

In exercising the authority granted by this policy, the Chief shall have authority for:

- a. Payment of Expenses: Authorize the payment of all expenses related to the conduct of any action or matter and then payment of any costs awarded against the Board.
- b. Execution of Documents: Execute all documents required to conduct any action, or conclude the settlement of any action or matter.
- c. Enforcement of Judicial Rulings: Take all steps required to enforce orders, decisions, awards and judgments.

2.7 EXCEPTIONAL CIRCUMSTANCES

Where time constraints or other circumstances will not allow for the required authority granting procedures to be followed with respect to any legal matter, the Chief shall have the authority to take the appropriate action and report such action to the Board at the earliest opportunity.

3.0 CITY OF GREATER SUDBURY SOLICITOR

- 3.1 The City of Greater Sudbury shall be forwarded all Statement of Claims/Applications or other litigations involving a third party, who shall represent the Board directly or through external counsel as so retained by the City. Prior to settling any third-party claim where damages are compensated, such counsel shall consult with the Chief or designate.
- 3.2 The City of Greater Sudbury shall review legal agreements or other matters on request.

4.0 APPEALS

- 4.1 Counsel as so retained by the Board shall have the authority to appeal decisions in consultation with the Board and/or Chief.

5.0 ADMINISTRATIVE TRIBUNALS

5.1 JURISDICTION

These matters involve hearings before the Ontario Labour Relations Board, the Ontario Police Arbitration and Adjudication Commission, Ontario Civilian Police Commission, Independent Police Review Directorate, Coroner's Inquests, Law Enforcement Complaints Agency, and other administrative tribunals. Arbitration matters are also included.

5.2 AUTHORITY

The Board shall retain counsel where necessary to make applications, conduct hearings, represent the Board's interests and take objection to all matters brought before administrative tribunals.

5.3 APPEALS

Counsel, on the authority of the Board, shall have the authority to appeal any decision of an administrative tribunal where the appeal lies to another administrative tribunal. Counsel for the Board with instruction shall have the authority to commence judicial review of decisions of administrative tribunals that relate to labour relations. The Board shall authorize all other appeals or applications for judicial review of the decisions of administrative tribunals.

6.0 REPORTING TO THE BOARD

The Chief shall keep the Board apprised of any such litigation/claims or actions filed against the Board including how many have been filed, how many are outstanding, how many have been settled, the cost of settlements and any issues of significance.