TRACKING (POLICE) OVERSIGHT

A REVIEW OF CANADIAN LAW ENFORCEMENT OVERSIGHT AGENCY OUTCOMES

REPORT ON FINDINGS FROM 2020 TO 2025

TRACKING (IN)JUSTICE

WHAT IS THE TRACKING (IN)JUSTICE PROJECT?

Tracking (In)Justice is a law enforcement and criminal justice data and transparency project that tracks and analyzes police-involved and carceral deaths across Canada. We believe that accurate and verified data is one way to support communities advocating for justice, accountability, and transparency from police, corrections officials, and oversight agencies.

TO LEARN MORE ABOUT TRACKING (IN)JUSTICE GO TO:

WWW.TRACKINGINJUSTICE.CA

REPORT AUTHORS:

Nhora Aust	Research Associate, Tracking (In)Justice
Jeffrey Bradley	Research Assistant, Tracking (In)Justice
Andrew Crosby	Department of Geography and Environmental Studies, Carleton University
Lindsay Jennings	Research Associate, Tracking (In)Justice
Alexander McClelland	Institute of Criminology, Carleton University
Jaime Snow	Tracking (In)Justice, Research Assistant

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Carleton University

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INTRODUCTION

EXECUTIVE SUMMARY

This report examines how police oversight works across Canada and whether it delivers accountability when people die during police use of force. Drawing on original research from the Tracking (In)Justice project, it combines national data (2020–2025) with interviews with eight family members who lost a loved one due to police violence.

KEY FINDINGS BETWEEN 2020-2025

In a context where police-involved deaths are increasing, accountability through civilian oversight is extremely rare. **Of 266 investigated cases with known outcomes:**

- **95.9%** resulted in no charges being laid against police.
- **Only 4.1%** led to charges or recommendations, a majority of which were later dropped.

LACK OF TRANSPARENCY AND CONSISTENCY

Public reporting of oversight systems varies widely across provinces, with limited access to detailed case information, making it difficult to evaluate effectiveness or build public trust.

RACIAL DISPARITIES PERSIST

Indigenous and Black people make up 10.4% of Canada's population but account for 27.4% of identified police shooting deaths, highlighting their disproportionate representation in fatalities involving police use of force.

MANY VICTIMS ARE UNARMED

At least 30% of those killed between 2020 and 2025 were understood to be unarmed, raising further concerns about proportionality in the use of force.

INVESTIGATIONS FACE STRUCTURAL BARRIERS

The criminal law scope of oversight agencies severely limits possibilities for accountability. Police officers under investigation can legally refuse to be interviewed, which limits the ability to fully examine incidents.

Families of people killed during police use of force incidents report serious problems with investigations. Interviews with eight family members across Canada highlight recurring issues that contribute to deep mistrust in oversight processes, including:

- Lack of independence and bias
- Reliance on police narratives
- Missing or destroyed evidence
- Incomplete investigations
- Poor communication and limited access to assess evidence
- Lack of grief and trauma-informed care

BACKGROUND

Civilian oversight of police is critical to democracy and upholding the rule of law, justice and accountability. Yet publicly available information about the work of police oversight agencies is fragmented, uneven across provinces and territories, limited by disclosed data, and rarely produces accountability.

While civilian oversight agencies are often considered the ideal model for police oversight, in practice, limited information is released to the public on their inner workings, or on the effectiveness of their operations in achieving accountability for wrongdoing at the hands of police. To ensure the legitimacy of civilian oversight, the public requires knowledge of the processes and confidence in the outcomes.

PURPOSE OF THIS REPORT

Tracking (In)Justice: a law enforcement and criminal legal data and transparency project has, since 2021, been tracking deaths due to police use of force, where we house the largest and most comprehensive publicly accessible database on the issue.

Using publicly verifiable sources, we have tracked 872 deaths across Canada where police use of force was involved, from the year 2000 to the present.[1] One of the most common questions our team is asked about the data we collect is: What about oversight agency outcomes? Were these deaths "legal" or considered "legally justified"?

As a result, we have linked our database to oversight outcomes. For the purposes of this report, we linked outcomes of oversight agency investigations into 333 deaths between the years 2020 to 2025. These outcomes are presented alongside an analysis of an ongoing qualitative research project where we are conducting interviews with families who have lost a loved one to police use of force and who were part of an oversight investigation.

While civilian oversight agencies were created to ensure accountability and public trust, this research finds they rarely produce meaningful consequences for police wrongdoing. Structural limits, lack of transparency, and investigative weaknesses undermine their effectiveness, especially in a context of rising deaths and ongoing racial inequities.

HISTORY

Across Canada, the creation of civilian oversight agencies was in response to public legitimacy crises and public calls for racial justice and police accountability.

In Ontario, the Special Investigations Unit (SIU), established in 1990, was created in response to the killing of young Black men across the province. In 1988, there was widespread public outcry over the deaths of Lester Donaldson, 45-years-old, killed by Toronto police, and Michael Wade Lawson, 17-years-old, killed by Peel Regional Police.[2] In response to public protests, the Race Relations Policing Task Force was formed in 1989 and recommended a new system of civilian oversight, "the result would be a police investigation with input and influence from civilians".[3]

Similarly, in Manitoba, the Independent Investigations Unit (IIU) was created through implementing recommendations for civilian oversight from both the Taman Inquiry of 2008, and the Aboriginal Justice Inquiry of 1991.[4]

The Taman Inquiry focused on the controversial, biased, and flawed investigation into the death of Crystal Taman, 40-years-old, killed by an off-duty Winnipeg police officer in a hit-and-run while the officer was intoxicated. There was public outcry over the investigation being botched, with police investigating themselves, and initial charges being dropped, with the officer who killed Taman only being found guilty of a minor offence and receiving a conditional discharge.[5]

The Aboriginal Justice Inquiry examined systemic racism in Manitoba's law enforcement and criminal legal system, partially in response to the Winnipeg police killing of Indigenous leader John Joseph Harper, of Wasagamack, in 1988. The death was initially ruled an accident after the highly biased investigation which covered up police wrongdoing. There was public outcry into the flawed investigation, which involved police mishandling of evidence, failing to question civilian witnesses and lack of care in notifying Harper's family.[6] It was also noted that the officer who shot Harper, "was not handled as a suspect in a normal homicide investigation". The Aboriginal Justice Inquiry determined that excessive force had been used.[7]

Today, there are eight civilian oversight agencies across Canada with a focus on criminal investigations of officers involved in use of force incidents. The agencies differ in jurisdiction, size, authority, and responsibilities, as well as their levels of independence, outputs, and transparency.[8]

POLICE USE OF FORCE DEATHS ARE ON THE RISE

Concerns about oversight are increasingly urgent in a context of rising deaths at the hands of police.

Our ongoing tracking has identified that the average annual deadly use-of-force rate has risen by 46% between 2012 to 2023, from 0.071 per 100,000 people between 2000 and 2011 to 0.104 per 100,000 people between 2012 and 2023.[9] Between 2000 to 2014, there were an average of 24 police-involved deaths per year, but today we are regularly seeing upwards of 50 police-involved deaths per year, with 62 deaths in 2022, 51 in 2023, 51 in 2024, and 61 in 2025. The year 2022 had the highest number of police-involved deaths ever recorded, with 2025 as the second highest.

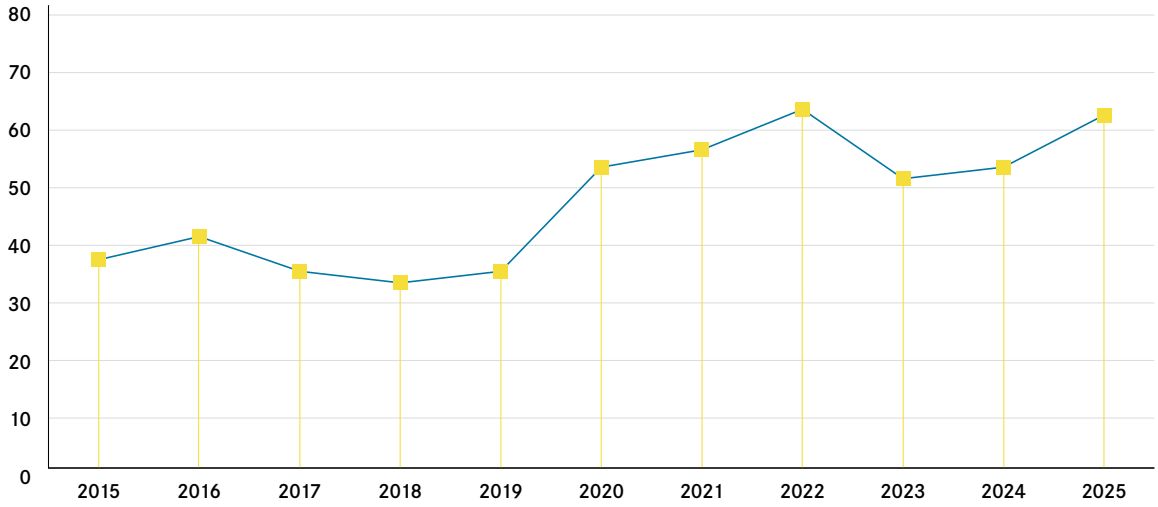
This increase in deaths takes place while rates of violent crime have remained relatively consistent.[11] Underlining ongoing concerns regarding lack of de-escalation practices and disproportionate use of force, over 73% of people killed by police are shot with firearms. Over 70% of individuals shot by police were not carrying a gun, and at least 27.7% were completely unarmed.

Furthermore, outcomes reinforce well-understood and documented racial inequalities embedded into patterns of policing. While Indigenous and Black people respectively comprise 6.1% and 4.3% of the population in Canada, according to 2021 census data,[12] they represent 16.9% and 7.6% of recorded deaths by police use of force. Together, deceased people identified as Black and Indigenous comprise 196, or one-quarter, of all documented deaths.

THE TERMS WE USE: "POLICE-INVOLVED" AND "POLICE HOMICIDES"

Many of deaths in the *Tracking (In)Justice* database can be classified as police homicides. We use the umbrella term "police-involved death" to encompass a range of different manners of death. Our project relies heavily on information from oversight agencies and media reports and often has limited access to coronial records. Based on the information we have, we are often unable to make a causal relationship between use of force and the death. At the same time, we also acknowledge the limits of this term, which has been critiqued as contributing to obfuscating responsibility for police killings compared to civilian homicides.[10] Greater access to information, over time, we may be able to use terms with greater specificity. We hope that future research will be able to disaggregate police homicides.

Police-involved deaths due to use of force across Canada



In this context, this report asks the following questions:

- How can the public have confidence in police oversight outcomes amid rising deaths involving police?
- How independent are oversight agencies?
- Without transparency why should the public be expected to accept investigation results at face value?
- What happens when there are concerns about the oversight agency outcomes or their investigation practices?
- What mechanisms exist to hold oversight agencies to account?
- Despite their origins to address racial violence by police, are persistent systemic patterns of racial injustice still being reproduced?
- What are the experiences of families impacted by police-involved deaths?

The purpose of the Tracking (In)Justice project is to explore such questions and to enable increasing transparency from policing across Canada.

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OVERVIEW OF POLICE OVERSIGHT AGENCIES

OVERSIGHT OVERVIEW

Civilian oversight was developed to address serious concerns about police undertaking biased investigations into police misconduct, including deaths due to use of force. A lack of public trust and a record of incompetency of police to conduct such investigations, has led to the development of external civilian oversight. This approach aims to ensure public legitimacy, uphold the rule of law, and promote transparency and integrity in outcomes.[13] Specifically, civilian oversight is regarded as vital for communities who have experienced intensified forms of racial violence at the hands of police.[14] Whether the aspirations of civilian oversight have been realized in practice remains an ongoing question.

In this report, we focused solely on oversight agency outcomes related to police-involved deaths. We did not examine complaints processes or outcomes. As a result, we did not focus on examining other aspects of police oversight, such as police complaints commissioners or agencies.

JURISDICTIONS

There are currently eight civilian oversight agencies across Canada established in every province aside from New Brunswick and Prince Edward Island. The newest is the Saskatchewan Serious Incident Response Team (SIRT), which was launched in 2023, and the oldest is the Ontario Special Investigations Unit (SIU), established in 1990. Nunavut, Yukon, and the Northwest Territories do not have a police oversight agency; the territories rely on external provincial agencies or police forces. The Alberta Serious Incident Response Team (SIRT) conducts investigations in the Yukon, and police forces from Ottawa and Calgary have provided services to Nunavut.[15] In provinces where the Royal Canadian Mounted Police provide policing, its officers are investigated by provincial oversight agencies. New Brunswick and Prince Edward Island currently rely on the assistance of the Nova Scotia SIRT, which is being expanded to be a joint provincial agency with New Brunswick.[16] For a list of all the agencies, see Appendix 1.

LEVEL OF CIVILIAN INVOLVEMENT

Although each agency is intended to be civilian in nature, the level of civilian involvement varies. Some agencies have fully civilian teams and others have mixed models with police. All oversight agencies have teams that include legal counsel and investigators. In many instances, the investigators can be current and/or former police officers, either on active duty or on secondment, meaning they are on leave from their frontline police duties and assigned to these investigative roles. For example, as of May 2025, at Ontario's SIU, of the 25 required investigators on their team, 17 have a police background and eight are civilian, and of the 13 forensic investigators, 12 of them have policing backgrounds.[17]

PUBLIC ACCESS & TRANSPARENCY

In terms of transparency and publicly available information, all 8 agencies issue media releases of investigations to the public on their websites, and some include details of investigations, along with annual reports. While some agencies release summaries or annual statistics, reporting practices vary widely across jurisdictions, and detailed case-level information is often withheld. This inconsistency results in limited public knowledge about how often police are investigated, the nature of alleged misconduct, and how frequently officers face charges or sanctions.

INDEPENDENCE AND AUTHORITY

Oversight agencies across Canada do not all have the same level of independence. In provinces like Manitoba, Newfoundland and Labrador, and Ontario, these agencies are created through their own standalone legal acts which are separate from policing acts. This separation gives them a clearer, more formal distinction from police services. In theory, this legal framework is meant to ensure independence from police services and to promote public confidence in accountability processes.

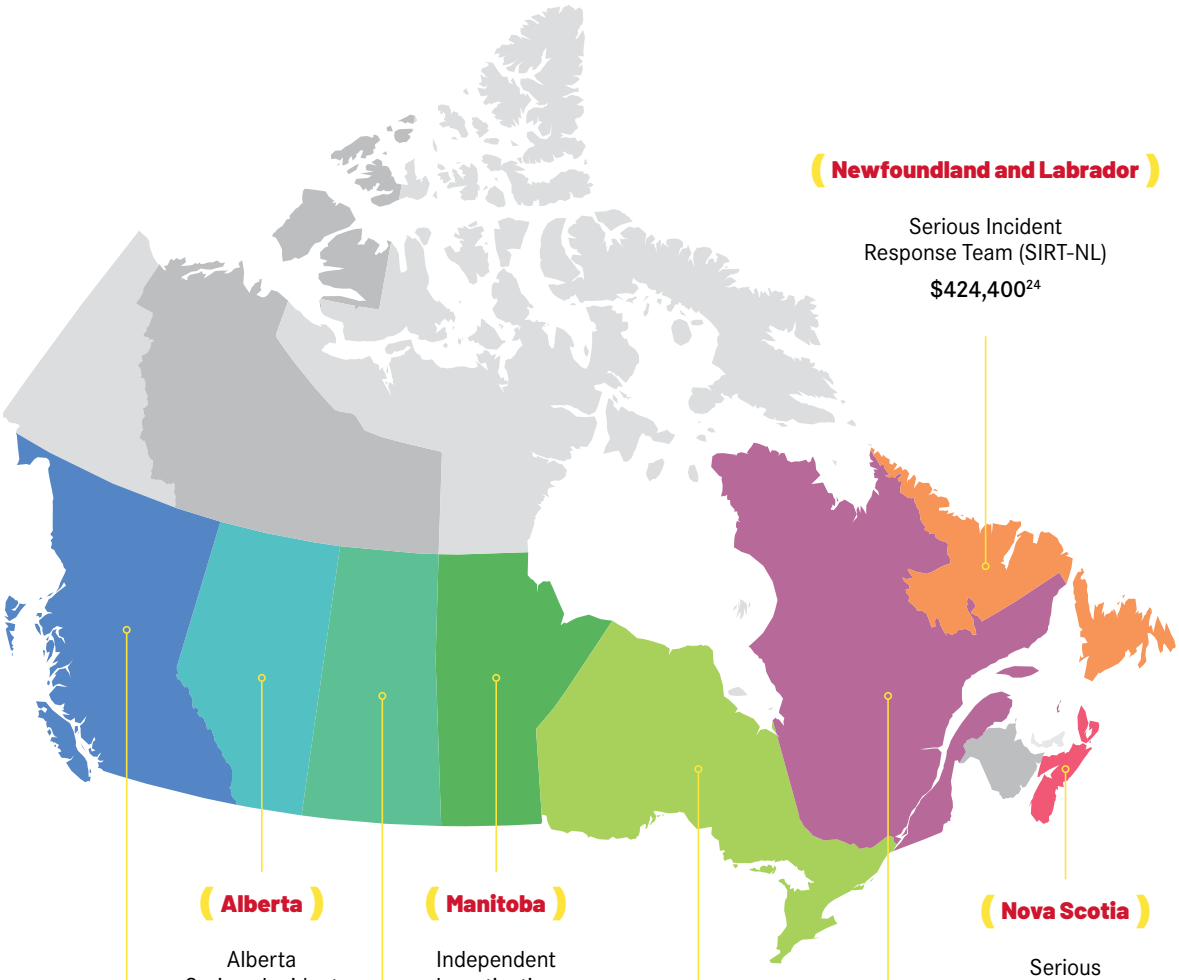
In other provinces, oversight agencies are set up under existing provincial policing laws, which grant them powers to investigate incidents, gather evidence, require cooperation, and refer cases to Crown prosecutors, but they are not fully separate from policing work and institutions.

An important measure of accountability is the authority of agencies to lay criminal charges. This authority varies across agencies. For example, Ontario's *Special Investigations Unit Act* states that the Director can lay charges against the officer if they have reasonable grounds to believe there was an offence that occurred under the *Criminal Code*. In British Columbia, the *Police Independent Investigations Office* amendment gives the chief civilian Director the authority to decide if an offence likely occurred so the matter can be reported to Crown counsel. In Manitoba, they use a hybrid model where the *Police Services Amendment Act* states that the case can be referred to the prosecution service or they can lay charges directly.[18]

While none of the oversight agencies can directly recommend changes in policing policy and practice, nor can they directly recommend any other form of disciplinary actions, in some cases, they can refer cases to policing complaints bodies. For example, in Ontario, the SUI can refer cases to the Law Enforcement's Complaints Agency for further investigation.

ANNUAL EXPENDITURES

Garnering access to public information about operating budgets of these agencies is not an easy task, where such information can be buried in long annual reports, in submissions to governments, or in other policy documents. From what we were able to identify, these agencies have combined approximate budgets of $43.5 million annually.



Newfoundland and Labrador

Serious Incident Response Team (SIRT-NL)

$424,400[24]

Alberta

Alberta Serious Incident Response Team (ASIRT)

$3,600,000[19]

Manitoba

Independent Investigation Unit of Manitoba (IIU)

$268,000[22]

Nova Scotia

Serious Incident Response Team (SIRT-NS)

$1,467,000[26]

Ontario

Special Investigations Unit (SIU)

$12,201,133[23]

British Columbia

Independent Investigations Office of BC (IIO)

$13,890,846[21]

Saskatchewan

Serious Incident Response Team (SIRT-SK)

$990,000[25]

Quebec

Bureau des Enquêtes Indépendantes (BEI)

$10,691,000[20]

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OVERSIGHT AND THE LAW

LEGAL JUSTIFICATIONS FOR USE OF DEADLY FORCE

Police oversight agencies are responsible for determining whether police conduct involving serious incidents such as deaths, serious injuries, or allegations of criminal wrongdoing meet the legal threshold for criminal charges.

The federal *Criminal Code* of Canada, *Section 25,* sets out when police, and other authorized individuals, are justified in using force. It indicates that they must be acting under lawful authority, such as making an arrest or executing a warrant, and using no more force than is necessary in the circumstances. It states that when force is used it must be reasonable, justifiable and not excessive relative to the situation. Subsection 3 specifies that deadly force is limited to only when necessary to protect the officers or others or to prevent the escape of a suspect who poses a serious risk of death or grievous harm.

CRIMINAL CODE SECTION 25:

25 (3) Subject to subsections (4) and (5), a person is not justified for the purposes of subsection (1) in using force that is intended or is likely to cause death or grievous bodily harm unless the person believes on reasonable grounds that it is necessary for the self-preservation of the person or the preservation of any one under that person's protection from death or grievous bodily harm.

Decisions to lay charges in oversight investigations are also guided by the case, *R v. Nasogaluak,* 2010 decision on excessive force. The Supreme Court of Canada decision states that police actions should not be judged against a standard of perfection, given the dangerous, fast-moving situations they might encounter.[27] Additionally, legislation governing police oversight at the provincial level creates a high threshold for criminal responsibility which can involve expert reviews and substantial evidence for the Crown to press charges against officers.[28] Even if charged, the prosecution must prove the case beyond a reasonable doubt, making convictions relatively rare.

Additionally, because of the narrow criminal investigation focus of oversight agency investigations, there are severe limits on what can be shared with the families and the public. Under criminal law, privacy interests of complainants and due process requirements result in a lack of transparency with the public.

In this legal context, police are assessed at a higher threshold than civilians, creating a system where it is difficult to obtain accountability through prosecution. As noted by legal scholar Kate Puddister:

"The inability to adequately respond to conduct that does not meet the level of criminality can undermine confidence in the police, and the legitimacy of the oversight system. The criminal law mandate does not consider if there was or is a better way for the officer to conduct their job, nor does it contemplate how to prevent these actions in the future".[29]

Puddister also notes that when an officer is not charged after an oversight investigation in cases of clear wrongdoing or negligence causing harm, it can "legitimize the officer's conduct and ultimately undermine any efforts at deterrence".[30]

OBLIGATIONS UNDER INTERNATIONAL HUMAN RIGHTS LAW

As a member of the United Nations, Canada has made commitments to upholding international human rights obligations which include standards for policing and investigations into deaths due to police use of force. These obligations include reporting on the implementation of various UN human rights treaties and ensuring that laws and policing practices align with promoting accountability and respect for human rights.

Key international guidance related to policing and oversight investigations include:

- International Covenant on Civil and Political Rights, (1966)
- Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, (1989)
- Convention against Corruption, (2003)
- Codes of Conduct for Law Enforcement Officials (1979, 1989, 1990)
- United Nations Declaration on the Rights of Indigenous Peoples, (2007)
- Minnesota Protocol on the Investigation of Potentially Unlawful Death, (2016)

International Covenant on Civil and Political Rights (ICCPR)

This Convention was ratified by Canada in parliament in 1976. It establishes legally binding obligations related to the right to life, due process, and a right to remedy. This means that UN member states need to establish a mechanism whereby people can seek redress if their rights have been violated.

Learn more: https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights

Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions

The Principles provide guidelines for investigating unlawful killings, to ensure accountability and justice for victims. *Section 9* of the Principles states that investigations into unnatural deaths by the state must be impartial and that "governments shall maintain investigative offices and procedures to undertake such inquiries." *Section 11,* notes that investigators much be "independent of any institution, agency or person that may be the subject of the inquiry", and *Section 17,* states that outcomes of investigations must be made public, including the "methods used to evaluate evidence as well as conclusions".

The Principles recognize the rights of families impacted by unnatural death. *Section 15,* states that families shall be protected from intimidation and violence during an investigation, and that they should have access to all information relevant to the investigation. This section also states that, "the family or relatives of the deceased shall be informed immediately" and that "the body of the deceased shall be returned to them upon completion of the investigation".

Learn more: https://www.ohchr.org/en/instruments-mechanisms/instruments/principles-effective-prevention-and-investigation-extra-legal

United Nations Convention against Corruption (UNCAC)

This Convention calls for UN member states to establish independent bodies to undertake oversight responsibilities. It emphasizes that independence is strengthened when these bodies are established through statutory authority, and are structurally separate from police legislation, where they can receive adequate funding independent of police budgets, and rely on fair, transparent, and merit-based appointment processes for their leadership and staff. To ensure oversight success, outcomes should be measured including a reduction in police misconduct, improved police service delivery, timely resolutions, legitimacy, and the perceived integrity of commissioners. A key aspect is also the level of perceived integrity of the complaints process, which should be measured by whether both complainants and police officers regard the process as fair, thorough, and objective. The Convention notes that any oversight body must itself be subjected to rigorous oversight.

Learn more: https://www.unodc.org/corruption/en/uncac/index.html

Codes of Conduct for Law Enforcement Officials

There are several international codes of conduct for police developed by the United Nations, including the C*ode of Conduct for Law Enforcement Officials, 1979,*[31] *Guidelines for the Effective Implementation of the Code of Conduct for Law Enforcement Officials, 1989,*[32] and *The Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, 1990.*[33] These guidelines are aimed at ensuring that law enforcement functions within human rights frameworks. Relevant aspects of these guidelines include people impacted by police use of force and firearms should have access to an independent competent authority led by civilians.

United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

This Declaration establishes a framework of standards for the survival, dignity, wellbeing, and rights of Indigenous peoples. In relation to oversight investigations, *Article 11,* underlines the right of Indigenous people to practice and revitalize their culture, and *Article 15* acknowledges Indigenous peoples' right to dignity in the practice of culture and tradition, both of which can be vital after losing a loved one to police use of force. In some instances, oversight investigations can withhold belongings as evidence, or deny access to the body of the deceased, which can deny Indigenous families their traditional rights to hold culturally relevant ceremony.

Learn more: https://www.ohchr.org/en/indigenous-peoples/un-declaration-rights-indigenous-peoples

Minnesota Protocol on the Investigation of Potentially Unlawful Death, 2016

This Protocol is a set of international guidelines for the forensic investigation of suspicious deaths where the responsibility of a State is suspected. These standards include that investigations be prompt, effective and thorough, independent and impartial, and that they are transparent. The Protocol also outlines that families of those killed by police use of force must have access to justice that is adequate, prompt and reparative. *Principle 17* states that deaths must be investigated by a "competent authority that is independent of the detaining authority and mandated to conduct prompt, impartial and effective investigations into the circumstances and causes of such a death".

The Protocol also recognize the rights of impacted families, where *Principle 11* states that families have the right to access evidence, and "to obtain information on the causes of a killing and to learn the truth about the circumstances, events and causes that led to it".

Learn more: https://www.ohchr.org/sites/default/files/Documents/Publications/MinnesotaProtocol.pdf

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INVESTIGATIONS

INVESTIGATIONS

All Oversight Agencies will investigate a death due to police use of force. Oversight investigations will vary depending on the context and the agency. When an investigation is launched, it should typically involve evidence collection, interviews, and coordination with other agencies. The investigation must be independent from police. Once complete, investigators should submit a report to the Director of the oversight agency for decision-making.

Because of the criminal law focus of investigations, the "subject officer", or the specific police officer involved in, or suspected of, an unlawful use of force, and/or killing someone, has the right to not participate in an investigation, to not incriminate themselves. The right of police subject officers to refuse to participate stems from the legal right of any person to refuse to comply with a police investigation. As such, police subject officers cannot be compelled to share their notes with or be interviewed by oversight investigators.

A study of SIU investigations from 2017 to 2020 by political scientists Kate Puddister and Danielle McNabb highlight that officers either refused to be interviewed or refused to provide notes in 63.5% of cases, with officers refusing both in 32.7% of cases.[34]

POLICE USE OF FORCE IN ONTARIO

The report, *Police use of force in Ontario: An examination of data from the Special Investigations Unit,* 2006, provides a detailed example of the process of an investigation from Ontario's Special Investigations Unit (SIU):

"If the preliminary investigation confirms serious injury or death involving police, a full-scale investigation commences. SIU investigators are dispatched to the scene of the incident where they examine and secure all physical evidence, seek out and secure the cooperation of police and civilian witnesses, and seize police equipment and other evidence for forensic examination. The SIU also monitors the medical condition of any injured parties, and notifies and updates family members or next of kin of the deceased or injured parties informed.

After preliminary evidence is gathered, the SIU makes important determinations as to the involvement of particular officers in relation to the incident. The officer(s) whose conduct appears, in the opinion of the SIU Director, to have caused the death or serious injury under investigation is deemed a "subject officer" and is conferred with corresponding rights and obligations (such as the right to remain silent). An officer who, in the opinion of the SIU Director, is involved in the incident, but is not a subject officer is deemed a "witness officer", and is obliged to disclose his or her notes, provide an interview, and cooperate fully with the SIU.

Witness officers do not have the right to remain silent, although they do have the right to a lawyer during the interview. In some circumstances, the investigation reveals a different involvement on the part of the officers than originally believed. In this case, the Director has the power to re-designate officers, as he or she sees fit. Following a thorough investigation, the entire file is reviewed by the SIU Director. The Director must ascertain whether, based upon the investigation, there are reasonable and probable grounds to believe that a criminal offence was committed by the subject officer(s).

This may entail a legal examination of whether the subject officer breached a standard of care (by driving dangerously or carelessly discharging his weapon, for example) or a simple evaluation of the facts to determine whether the legal requirements for a criminal code offence (assault causing bodily harm, for example) are satisfied [...]

[If] the SIU Director finds evidence of criminal wrongdoing, he or she will [lay charges] against the subject officer(s) and will refer them to the Crown Attorney for prosecution."[35]

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CONCERNS ABOUT OVERSIGHT

CONCERNS

Criminology, policing, and social scientists along with government and policy bodies, have examined civilian police oversight agencies across Canada. This literature identifies several structural challenges, including, a lack of transparency, ineffective investigations, collusion with police, police resistance to oversight processes, extremely low rates of criminal accountability for police misconduct, ongoing racial disparities in police violence and resulting outcomes, significant gaps in national data on police oversight outcomes, and limited ways to hold police accountable under the law.

REPRODUCTION OF PATTERNS OF RACIAL INJUSTICE

Research consistently documents significant racial disparities in police use of force. Scot Wortley's analysis prepared for the Ipperwash Inquiry found that Black civilians were significantly overrepresented in Ontario's SIU investigations involving police use of force, and that they were more likely to be involved in police shootings and fatal encounters.[36] Similar findings were reported in the Ontario Human Rights Commission's 2020 report *Use of Force by the Toronto Police Service,* which found that Black people were disproportionately involved in police shootings and use-of-force incidents at rates approximately seven times higher than white residents.[37]

> Additionally, as indicated at the outset of this report, the *Tracking (In)Justice* database indicates that patterns of racial inequity are present in deaths involving police use of force, where Indigenous and Black together comprise 10.4%of the population in Canada, they are represented in 27.4% percent of all shooting deaths identified in the database.

LACK OF UNDERSTANDING AND REPORTING DATA ON USE OF FORCE DEATHS

A major limitation identified in the literature is the absence of reliable national data on police use of force and evaluation of the effectiveness of oversight in addressing the problem.[38] Criminologists Scot Wortley, Akwasi Owusu-Bempah, Erick Laming, and Carae Henry conducted a national review – *Police Use of Force in Canada: A Review of Data, Expert Opinion and the International Research Literature* – and found that oversight agencies do not systematically track police use of force or police incidents in ways that can assist in understanding the effectiveness of oversight. They interviewed six representatives from police oversight agencies in Canada, where the researchers noted, "whereas some oversight respondents felt that use of force had decreased, others felt that their numbers were up. Again, a lack of reliable data and changes in reporting practices limited the ability of respondents to speak with any certainty".[39]

> The lack of standardized data collection makes it difficult to evaluate patterns of police violence or determine whether use of force is increasing or decreasing over time, and if oversight mechanisms are effective in achieving their mandates. The absence of standardized data and accessible reporting severely restricts both public understanding and scholarly analysis of police accountability.

CONCERNS REGARDING THE RIGOUR OF INVESTIGATIONS

Following several serious concerns filed by community members about the independence and objectivity of investigations, the Ontario Ombudsman completed a systemic investigation and released a 2008 report titled, *Oversight Unseen: Investigation into the Special Investigations Unit's Operational Effectiveness and Credibility.*[40] The report involved 100 interviews with SIU staff, former SIU staff, senior officials with the Ministry of the Attorney General, complainants, community groups, experts, consultants, representatives from the policing community, and the chiefs of police.

The report noted that the SIU, as a civilian criminal investigative agency, lacked sufficient independence, in part because the agency relied heavily on former police personnel. The Ombudsman documented repeated instances where police officers delayed or refused to cooperate with investigations, including refusing to share private notes or declining to participate in interviews. There were also serious concerns about the operational effectiveness and credibility of the SIU, noting delays in notification, lack of professionalism and investigational gaps, and issues with evidence mishandling.

> The report included 46 recommendations to improve civilian oversight in Ontario, including urging the SIU to more aggressively pursue reasons for police non-cooperation and to use all available means to diversify its workforce, recommending that the SIU director's reports be made completely public, and calling on the province to amend legislation to make it an offence for police forces not to cooperate with the SIU.

OVERSIGHT UNSEEN: INVESTIGATION INTO THE SPECIAL INVESTIGATIONS UNIT'S OPERATIONAL EFFECTIVENESS AND CREDIBILITY, 2008

The report addresses the Toronto Police Services shooting of Filipino-Canadian Jeffrey Reodica, 17-years-old, who was shot three times in the back during an altercation on May 21, 2004, and who died three days later. The police officer who shot Reodica claimed the boy was armed with a knife, but eyewitnesses disputed this, asserting he was unarmed and posed no serious threat. SIU investigators were not notified for over an hour after the incident and questions remain about potential evidence fabrication. The Special Investigations Unit later cleared Belanger by calling the shooting justifiable. Concerns resulted about the SIU reproducing the police narrative of the incident, and ignoring civilian eyewitness accounts which did not fit their pre-determined narrative.

LACK OF ACCOUNTABILITY IN OUTCOMES

Reports have also highlighted a lack of accountability on the results of police oversight in Canada, where the rates of officers facing criminal charges for wrongdoing is extremely low. In 2023, a *Globe and Mail* report on data on the outcomes of the British Columbia Independent Investigations Office (IIO), noted that:

"Since its 2012 launch, that agency, B.C.'s Independent Investigations Office, has investigated 220 deaths and recommended that charges be laid in 14 cases. The Crown, which in B.C. is responsible for laying charges, took only one of those to trial, the data show. That officer, who was accused of manslaughter, was found not guilty in 2020".[41]

A CBC investigation in 2020, found that only 1% of 3,806 public complaints against Toronto police officers in 2014–2019 led to a disciplinary hearing.[42] The CBC also examined the cases of 21 Toronto cops charged by the SIU over a 10-year period, and none of them were convicted in court nor ever appeared before an internal disciplinary hearing. Another similar example in Ontario, is where researchers noted in 2005, the Special Investigations Unit investigated 195 incidents and laid only three criminal charges.[43]

Also examining Ontario's SIU, Puddister and McNabb studied what happened after police officers were criminally charged by the SIU in Ontario between 2005 and 2020. The researchers conducted an analysis of 159 cases involving 180 police officers where criminal charges were laid in Ontario. Over the 15-year period, they examined SIU-published press releases of each case, along with searches of media coverage and subsequent legal decisions. Their analysis used the case categorization of the SIU, which classifies occurrences as involving an injury, death, or sexual assault allegation. Most of the cases were related to assault (34.5%, or 80 cases), sexual assault (26.5% or 61 cases), or were driving related (11.2, or 26 cases). Only 1.3% of the cases (three cases) were related to homicide, while 3.9% were related to negligence (causing boding harm or death) (nine cases).

WHEN THE POLICE BREAK THE LAW: THE INVESTIGATION, PROSECUTION AND SENTENCING OF ONTARIO POLICE OFFICERS, 2021[44]

The only officer whose charge was not dropped during the 15-year timeframe from 2005 and 2020 was that of Toronto police constable James Forcillo who received a sentence of 6 years for the killing of 18-year-old Sammy Yatim. The judge reviewing the cases highlighted that police training in de-escalation was not followed, nor was the proper use of the firearm noting that the officer had a lengthy history of drawing his firearm on citizens. Beyond that unique moment of criminal legal accountability in Yatim's case, Puddister and McNabb's research outlines that in over 25% of cases, charges against the police are withdrawn by the Crown. For officers who are convicted, they are typically sentenced to a conditional or absolute discharge.

For the cases which do proceed to trial, the most common outcome is an acquittal. The researchers found that "approximately one-third of all charges laid by the SIU are withdrawn by the Crown prosecution and the most common disposition following trial is an acquittal".[45] Overall, they found that "officers tend to be sentenced less punitively... and are more likely to receive non-custodial sentences than are the general public".[46]

> This study of SIU investigations demonstrated that charges against police officers are rare and that cases which do proceed often result in withdrawn charges or acquittals, reinforcing the perception that oversight mechanisms rarely produce meaningful criminal accountability.

INSTITUTIONAL ORGANIZED DECEPTION

Deception is recognized as an embedded feature of policing culture, where the persistence of the "blue wall of silence" where police protect police is a core feature of police culture, and systemic barrier to accountability that reproduces inequality and injustice.[47] Police deception, while not universal, are widely recognized as embedded features of policing culture, and can undermine the ability of oversight agencies to independently reconstruct events.[48]

Legal scholar, Sylvia Rich,[49] has argued that police deception should be understood not solely as individual misconduct but as a form of organizational crime. Rich examines the outcome of the media investigation into the disappearance of Sindy Ruperthouse, a forty-four-year-old Indigenous woman in Val d'Or, Quebec, which took place in the context of mounting demands across Canada in 2015 for an inquiry into missing and murdered Indigenous women. The investigation revealed an organizational culture of deception and lawbreaking, including ongoing "starlight tours" where Indigenous women were left in faraway places in the cold after being violently sexually assaulted by police officers. Superior officers were aware of the practice, even enabled it, Rich notes, "at least twice, a victim complained... with no result".[50]

> This research suggests that institutional cultures, legal frameworks, and lax accountability structures enable or shield patterns of abuse. Rich shows how a similar fact pattern might fit all the elements of organizational crime as defined in the *Criminal Code*. This perspective challenges the dominant "bad apple" framing that focuses on individual officers rather than systemic conditions that may facilitate misconduct.

PERCEPTIONS ABOUT LEGITIMACY

Research on public perceptions of police oversight suggests that legitimacy remains a significant challenge. In their study, *Policing the Police: Public Perceptions of Civilian Oversight in Canada,* 2020, criminologists, Jihyun Kwon and Scot Wortley found that although many individuals indicate they would be willing to report police misconduct, confidence in civilian oversight agencies remains low.[51] Using a survey method of 1,522 respondents, the research examined differences in perceptions between racialized people and white people, finding that Black respondents were "significantly more cynical about the legitimacy of the police complaints process".[52] The study also found that "regardless of racial background, respondents prefer civilian oversight over police-controlled investigations".[53] Overall, many respondents expressed skepticism that complaints would be investigated fairly or that police officers would face meaningful consequences, reinforcing broader concerns about accountability within existing oversight systems. Results underlined that to ensure legitimacy there is a need for truly independent investigations of police complaints.

> Overall, these various reports address ongoing concerns about the legitimacy and effectiveness of civilian oversight as it is currently structured. As a result, oversight processes often fail to disrupt ongoing patterns, reinforcing public skepticism about whether police are genuinely held accountable for deaths and other misconduct.

6

METHODS

METHODS

To develop this report we draw on both quantitative and qualitative data from our living database and ongoing research. The Tracking (In)Justice project employs a collaborative, interdisciplinary, and participatory approach, which includes communities most impacted and families of those killed by police. Our work is informed by public criminology, critical race studies, decolonial and intersectional analysis, and community engaged research approaches.[54]

THE NUMBERS: QUANTITATIVE DATA

This work builds on data on police-involved deaths recorded in the Tracking (In)Justice database between 2020 and 2025. We examined oversight outcomes from 2020 to 2025, focused on the 333 deaths involving police use of force across Canada. To collect information on oversight outcomes for each case, we conducted online searches of reports produced by police oversight agencies. The variables were collected from publicly available reports on the oversight agencies' websites. Cases were categorized and recorded in a spreadsheet capturing the name of the oversight agency, the investigator or director responsible for the decision, the quoted conclusion of each report, and the outcome regarding the determination of criminal responsibility of the police officers involved. The data were subsequently analyzed by calculating totals and percentage breakdowns across oversight agencies, identified race, type of force used, involvement of individuals in crisis, incident location, and whether criminal charges against police officers were laid or not laid.

We examined oversight outcomes
from 2020 to 2025, focused on the 333 deaths involving
police use of force across Canada.

THE EXPERIENCES OF FAMILIES: QUALITATIVE INTERVIEWS

We present numbers from the database alongside qualitative interviews with families who have lost a loved one to police use of force and who were part of an oversight investigation. The interview process was guided by a participatory and feminist approach and implemented a trauma and grief-informed practices. The interview questions were developed via consultations with five family members impacted by police-involved deaths who advise the Tracking (In)Justice project, including with Affected Families of Police Homicide Ontario. The project received ethics clearance from *Carleton University Research Ethics Board* in 2025.

We used open-ended questions, allowing for a flexibility of engagement, where family members were sent questions in advance, and with check-ins before and afterwards. Family members were guaranteed confidentiality and identifying details have been removed. Both the interview participant and their deceased loved one have been identified using a pseudonym. All other names, places, and dates, including the names of police forces and oversight agencies have been removed and replaced.

The interviews focused on experiences following the death of a loved one involving police use of force, including circumstances that led to the death, the incident itself, aftermath of the incident, engagement with oversight agencies, supports available, family services liaisons, coroners, garnering legal representation, civil cases, the experience of an inquest, media coverage, victims services, trauma and care, and what kinds of support or gaps are missing. Interviews were thematically analyzed using a participatory team approach, consulting with Affected Families of Police Homicide Ontario to ensure the validity of outcomes.

While many of the families wanted to have their real names used in this report, some were unable to do so because of ongoing civil litigation, or because they were concerned about reprisals from police agencies for speaking openly about their cases. Additionally, the ethics approval from Carleton University was provided on the basis that interviews were conducted anonymously and confidentially.

The interviews focused on experiences following the death of a loved one involving police use of force, including circumstances that led to the death.

(7)

THE NUMBERS:

OVERSIGHT OUTCOMES ACROSS CANADA FROM 2020 TO 2025

THE NUMBERS

Between 2020 and 2025 there were 333 deaths involving police use of force. As of early March 2025, 55 cases have ongoing investigations, and for 12 of the cases we were unable to determine the status of the case. For those we were unable to determine if there was an oversight outcome, this was because province or territory did not public report on the death, an oversight agency did not exist at the time of the death, or another police department is investigating the incident and did not publicly report on the findings.

CHARGES LAID AND RECOMMENDED

Between 2020 to 2025, there was a total of 266 cases investigated by an oversight agency with a publicly known outcome. 95.9% of these cases resulted in no charges laid for the police involved. In this vast majority of cases, oversight agencies noted that the legal threshold required to lay charges was not met based on the available evidence and review of the circumstances.

There were 11 cases (4.1%) where cases resulted in charges being laid or recommended by the oversight body. Some oversight agencies can lay a charge directly, while others can advise to a Crown attorney that a charge be laid.

There was a total of six cases where a police oversight agency determined charges to be laid against a police officer for using lethal force against a civilian, Ontario Special Investigations Unit (four charges laid) and the Alberta Serious Incident Response Team (two charges laid), as these agencies can lay charges directly.

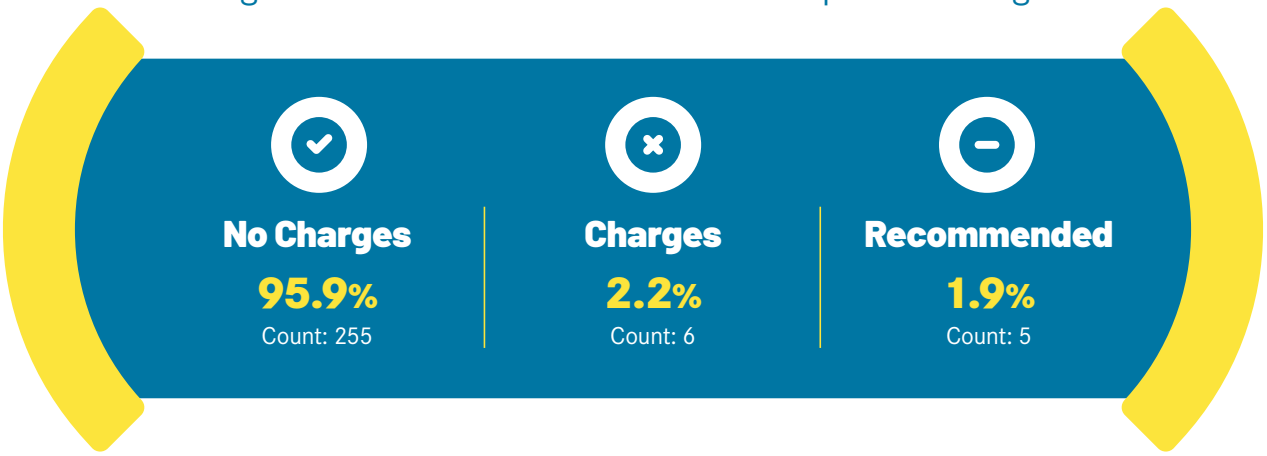
There was a total of five cases where a police oversight agency recommended charges against a police officer for using lethal force against a civilian, which were recommended by the Independent Investigations Office of British Columbia (four cases) and the Alberta Serious Incident Response Team (one case). The Independent Investigations Office of British Columbia can only recommend charges to the Crown attorney since they do not have the legal authority to independently lay charges. Whereas the Alberta Serious Incident Response Team can lay charges directly or depending on the circumstances of the case, they can recommend charges.

Of the 11 cases where charges were either laid or recommended, six of the cases were later dropped by the Crown Prosecution Services after determining that there was insufficient evidence or it was not in the public interest to proceed. The cases that were dropped were from the Ontario Special Investigations Unit investigating Kawartha Lakes Police Service (involving two deaths),[55] the Alberta Serious Incident Response Team investigating the Edmonton Police Service,[56,57] Independent Investigations Office of BC, investigating Campbell River RCMP,[58,59] the Victoria Police Department,[60,61] and the Vancouver Police Department.[62]

Additionally, one charge resulted in a finding of not guilty, from the Ontario Special Investigations Unit, investigating Chatham-Kent Ontario Provincial Police.[63]

There are also four cases which are currently ongoing in the criminal court process either to determine if they will proceed with prosecuting charges or awaiting a court decision pending trial. These cases include charges from the Alberta Serious Incident Response Team, investigating the Calgary Police Service (involving two deaths),[64,65] the Independent Investigations Office of BC, investigating the Revelstoke RCMP[66] and the Ontario Special Investigations Unit, investigating the Toronto Police Service.[67]

Oversight outcome from 2020 to 2025 for completed investigations



JURISDICTIONS

The distribution of cases across oversight agency jurisdictions indicates that the majority were investigated by the Ontario Special Investigations Unit (SIU) overseeing 34.96% of cases, followed by Alberta's Serious Incident Response Team (SIRT) at 17.67%, British Columbia's Independent Investigations Office (IIO) at 15.79%, Quebec's Bureau des enquêtes indépendantes (BEI) at 15.41%, and the Independent Investigations Unit of Manitoba at 9.40% of cases. Only a small number of cases were handled through internal police service investigations in jurisdictions which do not currently have an independent oversight agency for police-involved deaths.

Oversight Agency Tasked to Review Police-involved Deaths

CATEGORY	COUNT	PERCENTAGE (%)
Ontario Special Investigations Unit	93	35
Alberta Serious Incident Response Team	47	18
Independent Investigations Office of British Columbia	42	15
Bureau des enquêtes indépendantes Québec	41	15
Independent Investigation Unit of Manitoba	25	10
Nova Scotia Serious Incident Response Team	9	3
Serious Incident Response Team Newfoundland	2	1
Saskatchewan Serious Incident Response Team	4	2
Ottawa Police Service	3	1
Totals	**266**	**100%**

ALLEGATIONS OF WEAPON

We track information if the deceased was alleged to have a weapon, but we do not make it publicly available on the Tracking (In)Justice website due to concerns about reliability. Police use concerns about the presence of a weapon to justify deadly use of force. However, we know that there are instances where police allegations regarding the presence of a weapon may be contested as untrue or a fabrication. As a result, we are cautious about how we present such numbers, to not reproduce inaccurate policing narratives. Even with limitations in the data, the findings raise concerns about how often police use firearms in situations involving less serious threats.

When police reported that someone had a non-firearm weapon (such as a knife, bat, or spray), officers responded with a firearm about 90% of the time. For example, most people alleged to have a knife or similar object were shot, and the same pattern appears in cases involving other low-level weapons.

There are also concerns about the use
of firearms against people who were unarmed.
In 75 cases where there was no allegation of a weapon,
38% of individuals were still shot by police.

DEMOGRAPHICS

Demographic details mirror ongoing patterns that exist in the Tracking (In)Justice database. Out of 266 cases where the oversight outcome is known, 243 were identified as men, 10 as women, one as non-binary, and 12 have an unknown identified gender. Out of the 199 known ages, the average age at time of death was 38 years old, with the youngest person being a one-year-old and the oldest being 73 years old.

In 203 of the 266 cases with a known oversight outcome, we do not know the identified race of the deceased. The distribution of case outcomes across identified race indicates that Indigenous people represented 13.4% (34 cases) of cases resulting in no charges. Black people represent 5.5% (14 cases) followed by white people at 3.9% of cases (10 cases) where no charges were laid.

Identified Race by Oversight Outcome

IDENTIFIED RACE	CHARGE RECOMMENDED	CHARGES	NO CHARGE	SUB-TOTALS
Arab	–	–	–	–
Asian	1 (20%)	–	1 (.4%)	2
Black	–	–	14 (5.5%)	14
Indigenous	1 (20%)	1 (17%)	34 (13.3%)	36
Latin American	–	–	–	–
South Asian	–	–	1 (.4%)	1
White	–	–	10 (3.9%)	10
Other	–	–	–	–
Unknown	3 (60%)	5 (83%)	195 (76.5%)	203
Total	**5**	**6**	**255**	**266**

8

THE EXPERIENCES OF FAMILIES

FAMILY EXPERIENCES

This is an initial analysis from a larger ongoing qualitative research project of families of people who have lost a loved one due to police use of force. Eight people were interviewed across three provinces. Family members include partners and siblings and are from a range of backgrounds, identifying as Indigenous, Black and white.

Five of the deaths involved police firearms. Three of the deaths involved other uses of force. All the deceased were identified as being unarmed, despite three unsubstantiated, and later disproven, police accounts of a weapon being involved. Half of the deaths were related to wellness checks. Seven of the deaths involved someone experiencing what their family members described as a mental health crisis. Six of the deaths occurred after the year 2020, and two of the deaths occurred prior to the year 2020.

All the family members were directly involved in an oversight agency investigation.

> The experiences of families are often excluded from the official narratives when their loved one is killed in a use of force interaction with police. Research from the University of Toronto has outlined how the experiences of families and civilians more generally is often sidelined or ignored from media accounts of a police-involved death.[68]

Here, we present family accounts, in their own words, where interviews addressed concerns regarding the lack of independence in investigations, reliance on and reproduction of police narratives, compromised evidence handling, incomplete and inconsistent investigations, perceived institutional bias and protection of police, lack of care and trauma-informed practice, inadequate support systems, lack of transparency and accountability, and erosion of trust and legitimacy. We discuss the themes in detail, along with presenting quotes from the interviews.

LACK OF INDEPENDENCE IN INVESTIGATIONS

A central concern across families we interviewed was a lack of independence in investigations. Family members described situations where police were the first to question them, conduct searches, and interview witnesses, either before, or after an oversight investigation had begun. Even when oversight investigators were present, family members felt they deferred to police, allowing police to remain involved in ways that compromised the integrity of the process.

Yvette (a mother) noted that she was concerned that there were many former or seconded police involved in the oversight agency investigation into her child's death. She stated:

> **(“) I was angry because we'd had ex-police investigating police. It feels like, you know like, or police investigating police, I've always had my opinion on it, you know, because at the end of the day, I feel like no police is ever gonna charge another cop. (”)**

Frank (a father) noted that during his initial interactions with the oversight investigators at the scene of the incident, one of the investigators indicated that they were friends with police officers who were on the scene during his child's death. He noted:

> **(“) ...they're the ones that are covering up for the cops.Well, most of those oversight agency investigators, they're friends with the cops that were there. Because one of them told me he goes, 'Oh, I know that guy'. I'm like, 'you know, that guy?' Okay. So how is this even fair?'. (”)**

Chloe (a mother) noted that at first she was impressed by the oversight agency, and that the investigator "was a pretty nice guy". But as the investigation went on, things began to change. She noted:

> **(“) I came to find out that they're not that independent because there's a lot of ex-cops that are in there and they can't be independent. Like it's their job, they're always going to protect, it doesn't matter. (”)**

Mary (a sister) describes a situation where the police were interviewing her and her family members prior to and during the oversight investigation. The police officers had not initially disclosed they were from the police force responsible for her sibling's death, and the oversight agency allowed the interview to continue. She notes:

> (“) And they're asking questions of what happened that morning. They're interviewing us. And then we get a knock on the door, and these two other men come in and they said, 'we're the from the oversight agency'... But after an exchange, the oversight investigators allow the local police officers, who we just found out at that point, after an hour, were from that police force.
>
> They allowed them to stay, and the oversight investigators left. I said... 'Is there no independent investigation, are you guys from the local police?' And they're like, 'yes, yes, yes'. And I'm like, 'are there no independent people?' And they said, 'yeah, the guys who just came in for a second, they're the independent people'. And then I started to think, okay, this is wrong. (”)

Mary also described how the oversight investigators allowed all the witnesses to first be interviewed by police. In some instances, the police presented false information to the witnesses, which may have tainted the oversight investigation. She stated:

> (“) ...The oversight body investigators allowed the police to interview all the witnesses. [The police force] took the witnesses back to the local police station. After they interviewed them, they took them back to the station to wait for the oversight investigators. (”)

Mary discussed how the local police made false allegations and inaccurate statements about her brother to witnesses prior to interviews with oversight investigators. One witness told Mary that the local police had interviewed them, and stated that Mary's brother had been abusive, and said to the witness, "his daughter is glad that he's dead". Mary noted that her brother did not even have a daughter and had never been abusive to anyone. She was later in contact with the witness who described the interaction. Mary stated, "the local police were telling this to these witnesses before they were interviewed by the oversight investigators." Mary also described how the local police had searched the home of her brother, during the oversight investigation:

> **"...they pushed their way in, and the local police searched his house top to bottom before the oversight investigators even got there... But when, the dust settles a little bit, you look and you think, why are the people who are involved in this investigating, and why is the oversight agency allowing them to do this?"**

Tanya (a mother) noted that once the oversight investigation was initiated the local police would sit in a vehicle across the street from her house, and would be there at all hours. She felt watched and intimidated, noting:

> **"That's what I was feeling, because intimidation is real... they know that I live here and they know my vehicle."**

She eventually had to have her lawyer intervene. The local police stated they were on routine patrol. Tanya disagreed, stating, they were "trying to intimidate me".

The early and sustained police involvement led family members to question whether investigations were truly independent, with some concluding that police were effectively investigating themselves.

RELIANCE ON AND REPRODUCTION OF POLICE NARRATIVES

Family members recounted how their loved ones were portrayed in negative and often inaccurate ways by police and oversight agencies, such as being labeled drug dealers or violent individuals, even when later evidence contradicted these claims. These narratives were shared publicly by oversight representatives before investigations had been completed.

Angelique (a mother) discussed how the oversight investigators repeating the local police's story that her child had been involved in drug dealing, even when the lack of evidence contradicted that narrative. Angelique felt this framing meant that the death of her child was not taken seriously by the investigators. She stated:

> **(“) ...they painted my son as a drug dealer. We had to clear that up. And it didn't matter what we did. They say, he was a drug dealer. They paint this picture whenever they know the police did wrong. So they painted him as a drug dealer... the oversight agency's report said they found no drugs... no, no form of drug dealing was ever seen. (”)**

Chloe (a sister) was told by oversight investigators not to speak to the media, even though she was concerned that the description of the incident that led to her child's death was untrue and created by the police. She noted:

> **(“) The oversight agency was like, 'don't talk to the media, don't talk to the media.' (”)**

Mary (a sister) discussed how the oversight investigators went on television prior to the completion of the investigation and repeated the incorrect narrative of the incident, with false accusations about her sibling that they had been told by police before investigation. She stated:

> **“ ...a representative of the oversight team went on TV and said that my brother had assaulted someone and ran, which, of course, my mother’s heart’s breaking. She’s like, ‘he didn’t do that’. Because you know what it sounds like. And they were wrong about that. But I think that kind of proves that right from the start, the oversight investigators took the local police narrative. That’s what they went on. And they never changed their path from that. ”**

Families felt that once these initial accounts were established, they shaped the entire trajectory of the investigation, with little openness to alternative evidence or perspectives.

COMPROMISED EVIDENCE HANDLING

Concerns about evidence handling were also prominent. Family members described instances in which evidence was destroyed, lost, or not properly preserved, including physical items such as vehicles and digital evidence such as video footage. There were also allegations that police had early and unsupervised access to scenes and witnesses, raising fears of contamination or manipulation of evidence.

Mary (a sister) describes how the oversight agency told her family they had destroyed all the evidence the same day they released their report clearing the police force of any wrongdoing was released. This meant it was impossible for her family to verify any of the claims made in the outcome report, or to conduct their own independent review of evidence. She stated:

> **(“) … The oversight agency representatives were there, and our lawyer and I are sitting there and I’m like, okay, but we want to see the certain piece of evidence. ‘Well, unfortunately, all of the evidence involved in your brother’s case was accidentally destroyed six months after his death’. This is a year and a half later. I’m like, ‘What?’ … The oversight destroyed all the evidence… the day that the report was released… they said, ‘we had destroyed everything.’ Really? (”)**

Frank (a father) described how video evidence from the scene, which he had previously seen and heard, had been altered, with the audio removed, once in possession of the oversight agency. He mentioned:

> “...it was really bad the way they had to sit there and lie with their heads down. I asked one of the investigators... about when my child was screaming because they said there was no noise and everything on the microphone, their voice, it was all like erased, yeah, well, they got rid of it. ”

Susanne (a mother) described how the oversight agency destroyed all the evidence from the scene of the incident of her son’s death before her lawyer could review it. As a result, she was unable to contest the sequence of events presented, which she believed was flawed and inaccurate. She noted:

> “They didn’t even leave it for the defense team to look at it... They sent it to be destroyed... So, we presented it and asked for his case to be reopened. Just, you know, give us a fair, unbiased investigation. They said no... Why did you send the vehicle to be destroyed? ...You know, you told us your ballistics were inconclusive. You should have gotten a second opinion. This is my son ... They did a poor, a very poor job in my son’s investigation... they destroyed evidence. ”

Angelique (a mother) described the loss of critical video evidence from the incident after it was collected by the oversight agency. She stated:

> **(“) ... and then they asked me for the evidence, and I am like ‘sure no problem, sure no problem’ ... so I gave them what they need, and about a week later... I decided to go and review the evidence, and it was no longer there. The evidence is not there.**
>
> **The oversight agency has a social worker who is supposed to work for the family... I called them and I am like, ‘I gave access, I went to check the evidence it is not there’. But they said, ‘let me contact them and find out what happened, if they have it’. The day after, they come back to me and they said, ‘yeah, they have it, but they will not release it until the investigation is done’. (”)**

Once the investigation was completed, **Angelique** described how she retained a lawyer to get back the evidence but was unsuccessful. In the end, the oversight agency stated that they did not have the evidence being asked for, even though she had provided it to them directly the day of the incident. She further stated:

> **(“) I realized this is all a setup... the oversight agency is to cover and to let them go awaywith. I believe that was the first day that I kind of realized these people are dirty. (”)**

In many cases, key pieces of evidence were reported by family members as destroyed or going missing further undermining confidence in the investigative process.

INCOMPLETE AND INCONSISTENT INVESTIGATIONS

Family members characterized investigations as incomplete, inconsistent, and lacking rigor. Oversight agency investigators were described as failing to interview important civilian witnesses, even when those individuals were known and available. Reports produced by these agencies were said to contain factual errors, contradictions, and missing information, including discrepancies in timelines, unclear accounts of events, and conflicting descriptions of evidence.

Frank (a father) described how during interviews with his family, the oversight investigators told them the family's account of events was untrue. Frank noted that this indicated to him that the minds of the investigators were already made up, and that they did not conduct a rigorous investigation, or examine in detail the statements made by his family which countered claims made my police. He stated:

> **(“ ...they're asking her questions. And then basically, after it was done, they're like, 'No, that's not what happened'. Making us seem like we were lying and all this kind of stuff. Like, why would you lie? Right? Your child just died and you're trying to put the pieces together for them... If you want to sit there and put the pieces together with the time and everything, you're going to find out there was no way... that's not what happened. ”)**

Chloe (a mother) noted that she initially had trust in the oversight investigation, but that there were ongoing inconsistencies and a lack of a complete investigation, leading her to change her mind. She stated:

> **(“ The oversight investigators, I had a lot of faith in them... but I had the feeling there was something off about the thing, that whole the intervention itself. But the prosecutor decided not to press charges and it's not the oversight agency's responsibility they don't find guilt. They only investigate and they don't really investigate. ”)**

Chloe further noted that she had been in contact with a several civilian eyewitnesses to her child's death and had provided their contact information to the oversight investigator. The investigator only ended up interviewing police. She noted:

> **(“ I kept giving them witnesses... I had to tell the oversight investigator. So, they're like, 'well, we leave cards on the doors and if they don't call back'. So, the only witness they have are the police, you know? ”)**

Mary (a sister) discussed how her family met an eyewitness to the incident, who had presented themselves to authorities, but who was never interviewed by the oversight investigators. She noted:

> “... we knocked on that door, and it turns out they opened the door and I said, our brother’s name, and the witness said, ‘they murdered your brother, I watched from the window. They murdered him’. The witness said, ‘I went over and the officers wanted to interview me, and I said, no, give my card to the oversight agency’. The witness said, ‘the oversight agency never called me’. The witness ended up testifying at the inquest.”

Susanne (a mother) described how forensic evidence from the scene, and from what she had seen with her own eyes, was not included in the oversight investigation. Details about one of the key pieces of information, another bullet, shot from behind into her son’s head, had been omitted from the oversight report. Furthermore, Susanne described how inconsistent details about the timing of the shooting and death were presented in the report. She described:

> “That evidence from the scene only was presented after they released that report and it didn’t make any sense. Because there were so many things that were omitted or left out from that report... I don’t know when they shot my son because the report gave two different times. Like everything, everything was so off and didn’t make sense. I’ve been living with this pain, my questions are not being answered. How was my son shot in the back of his head if the police said they only fired from in front? I’ve got all these questions that the oversight agency will not answer.”

As a result of these experiences, families were left with the impression that there was a lack of real investigative work being done, where they were left without clear answers to basic questions about how their loved one died.

LACK OF CARE AND GRIEF AND TRAUMA-INFORMED PRACTICE

Family members highlighted a lack of care, sensitivity, and grief and trauma-informed practice in their interactions with oversight agencies. Families described being denied access to the bodies of their loved ones, encountering dismissive or impersonal communication, and experiencing administrative errors, such as incorrect dates of death, as deeply distressing.

Donna (a mother) described a common circumstance among the families interviewed, where the oversight investigators denied her access to see her child's body. She stated:

> (“ ...you know, this is the most inhumane thing for a mother to go through. You don't show them the body, you don't allow them... And I said, well, that's not good enough. I want to see it before, you know, and they wouldn't let me. They just wouldn't, let me see my son. ”)

Susanne (a mother) describes how the report from oversight investigators did not include the correct date of her son's death, noting:

> (“ They couldn't even get the date of death for my child correct? And it was adding insult to injury. They did not care... Everything was off. ”)

Angelique (a mother) noted another common theme, where oversight investigators retained the belongings of her son as evidence. Angelique wanted her son's clothes to help with closure and her own grief process. She stated:

> **"I need my son's clothes, whatever you have. I want you to ask the oversight agency to release it and after they are done. And that was it... It took me about maybe nine months, or close to one year to get his clothes."**

Tanya (a mother) also mentioned that her child's belongings were sent back to her home by courier with no advance notice and months after the investigation was completed. She told us how her child's clothes had bullet holes and were stained with dried blood.

These experiences were perceived not only as failures of procedure and professionalism but as forms of harm that compounded their grief. Rather than providing clarity, justice, or closure, oversight processes were often experienced as confusing, adversarial, and, at times, retraumatizing.

INADEQUATE SUPPORT SYSTEMS

Support systems associated with oversight processes were also widely seen as inadequate. Designated support personnel often failed to provide meaningful assistance, with some family members reporting little to no contact or follow-up. Limited availability left families without help during moments of acute crisis. These gaps extended beyond individual families to affect communities and witnesses.

Mary (a sister) described how the oversight agency family liaison never identified themselves or provided any support or resources to her family during or after the investigation. She mentioned:

> “I looked up at the oversight support person and I said, ‘who are you and why are you even here?’ And they said, ‘I’m the support person’. They never did a thing during that meeting. They were in one other meeting where I said, ‘Why are you even here? It’s been a year and a half. Just leave. We don’t even know who you are.’ But apparently, they were supposed to be the support person. But they never reached out. ”

Chloe (a sister) noted that she had been promised supports and services which were not actually available, stating:

> “The oversight agency had promised me lots of things that I’d have services and things like that. None of that is true. ”

Susanne (a mother) described how she was provided a card and no other support or contact by the oversight agency family liaison. She described:

> “The oversight investigators on their first visit tried to give us a card first, to talk to us... I have not heard from the officers. They never reached out to the family, nothing. ”

Donna (a mother) mentioned how the support provided by the oversight agency was inadequate and not available when she needed it most. She stated:

> **(“) The affected persons coordinator came in and asked me to sit down. And the investigator said, unfortunately, your son was in a confrontation last night and was shot, he died. And I went what? Who did it, you know, and I wanted to know everything about it, and I wanted to go see him and I punched a hole in the wall and I just was ... this affected person's co-ordinator. They only work Monday to Friday, nine to five. So, when I was in crisis, I called [them] and [they] didn't get back to me for three days. (”)**

Donna noted a common experience among the families, that she was ineligible to access victim's services, because her son's death was not considered a crime, and therefore, she was not considered a victim. As a result, she faced a vacuum of support, where she noted:

> **(“) Nope. Not a thing. Well, giving support would be an admission of being a victim, right? So, it's all language. I mean, if you're going to say these are victims, the police are not going to be happy. (”)**

Donna further noted the lack of capacity that the oversight family liaison and support coordinator had to address the severity of the issue of the loss of her son. She stated:

> **(“) They can't support the community. They can't support what happens when someone is shot. Their community, they're shocked. You know, like traumatized, because there were witnesses and they were traumatized. But having one affected persons coordinator at the oversight agency was not good. (”)**

Family members noted that oversight agencies appeared ill-equipped to respond to the broader trauma experienced by those who witnessed incidents of violence. Efforts to connect with victim services were sometimes hindered by institutional barriers or tensions, further limiting access to care and support. Family members described a lack of institutional support overall, with few resources available to help them navigate the aftermath of their loss.

EROSION OF TRUST AND LEGITIMACY

Family members consistently described feeling that the system was opaque, unaccountable, and aligned with police interests, leaving them with feelings of diminished trust that oversight agency outcomes and investigations were illegitimate.

Chloe (a mother) noted that in a vacuum of supports, the oversight agency was all that she had, but they consistently let her down, stating:

> (“) They were basically all I had, and when you have nothing, you just hang on to it, so it’s like disappointment after disappointment. (”)

She further notes that the oversight agency had a close relationship with the prosecutor’s office, and due to the criminal law focus of investigations meant it was very hard to get access to information or evidence from the oversight investigation itself. She noted:

> (“) Trying to get information, everybody’s like ‘oh it’s their’ [responsibility]. Then you learn that prosecutor and the oversight agency almost have a client relationship, so they can’t give you anything like without the coroner’s inquest. (”)

Susanne (a mother) noted that despite the many questions and inconsistencies, the officers involved in her son’s death were cleared of wrongdoing. She stated:

> (“) It’s not, it wasn’t good, it wasn’t good... they cleared the officers, they’re there to protect the officers. (”)

Susanne stated her feelings that oversight agency investigators did not care about her son’s death because they had labeled him as a criminal from the start, resulting in them doing a poor job of investigating. She noted:

> (“) “And I think the oversight agencies just don’t want to be seen as being incompetent, but they really are. For my son’s matter, they just didn’t care because to them he was just another young Black drug dealer. I told the oversight investigators, that had the cops done their homework on my child, they would have come to the door and knocked like they should have. (”)

Frank (a father) noted a common sentiment among all the families interviewed, that there was no accountability in the overall process. He felt that the various inaccuracies, discrepancies, and lack of process, meant the oversight agency was covering up for police wrongdoing. He stated:

> (“) It's all been cover up, a lack of, you know, no, no transparency, lack of anything. No one wants to talk about it. Right. And it's because they know how damaging this is, they know. (”)

Donna (a mother) mentioned the problem of oversight agencies hiring police as investigators, which leads to them being steeped in police culture. Donna said:

> (“) ...you know, like too many police being hired out of the police force to the oversight agency which creates, still brings the culture in. (”)

Donna further explained that the limited criminal law focus of oversight agencies, where all that can result is the laying of charges. She noted that other concerns could be easily dismissed and not considered. She also highlights that the lack of broader forms of accountability are shocking but that there is a lack of public knowledge on the issue, stating:

> (“) Do you know exactly what the oversight agency does? They only find criminal charges. If there's anything that they do that doesn't fit with their training, that goes back to the chief, right? And that chief will go, that's part of the training. You know, that was the way they were trained. They were really good, they were an exemplary officer. And it's like, but you don't take into consideration the damage you're doing by this shooting, by this murder. (”)

Tanya (a mother), noted:

> (“) Accountability? There's been none, if I'm being honest. (”)

> The cumulative effect is a perception that these systems not only fail to deliver accountability but may also deepen the harms experienced by families in the wake of police violence.

These initial findings indicate a broader lack of transparency and accountability compounding these concerns. Contrary to United Nations standards for oversight investigations, family members described difficulties in obtaining information, accessing evidence, or even retrieving personal belongings of the deceased.

Delays in communication and the withholding of key details contributed to feelings of frustration and exclusion. Efforts to seek clarification or request further investigation were frequently perceived as being dismissed or denied, reinforcing a sense that the process was closed and unresponsive. Underlying many of these experiences is a perception of institutional bias in favour of police, which is is deeply concerning when examined in relation to the institutional policing culture of deception and the persistence of the “blue wall of silence”,

Family members expressed the belief that oversight agencies exist primarily to protect officers rather than to ensure accountability. This perception was reinforced by concerns about organizational culture, including the hiring of former police officers into oversight roles, which family members felt perpetuated policing perspectives within oversight agencies meant to provide independent review. Family members described the outcomes of investigations, particularly decisions not to lay charges, as predictable, further eroding confidence in the process.

(9)
CONCLUSION

DISCUSSION

This report examines whether police oversight agencies in Canada are achieving their core goals: accountability, transparency, and public trust. The findings suggest a significant gap between what these agencies are intended to do and what they appear to deliver in practice.

A key issue is the disconnect between rising police-involved deaths and the limited accountability that follows. The overall pattern is clear: **it is extremely rare for oversight investigations to result in criminal charges against officers, with 95.9% of investigations resulting in no criminal sanction for the police involved.** This is consistent with existing research, which shows that the legal threshold for charging police is very high. Of those few who face charges, a vast majority are dropped.

Canadian criminal law allows police to use force if it is considered "reasonable" in the circumstances, and courts have emphasized that officers should not be judged against a standard of perfection in fast-moving situations. In practice, this makes it very difficult to establish criminal wrongdoing, even in cases where death has occurred due to disproportionate use of force.

> The experiences shared by families highlight concerns regarding the real and/or perceived lack of independence in investigations. Many family members described processes that felt shaped by police, including concerns about how evidence was handled, how information was communicated, and how conclusions were reached. These concerns echo long-standing critiques about the close relationship between oversight agencies and policing institutions. Even in agencies that are formally civilian led, many investigators have policing backgrounds or work alongside police. This can influence how incidents are interpreted and leads to concerns that not fully independent.

These issues become even more concerning when considered alongside patterns of racial inequity and injustice. **As in previous research, Black and Indigenous people are killed by police at a disproportionate rate.** Yet, the oversight system does not appear to produce different outcomes in these cases. This raises questions about whether oversight mechanisms are effectively addressing systemic racism, or if they are just reproducing existing inequalities.

A lack of transparency further undermines public understanding and trust. The fact that the *Tracking (In) Justice* project is needed to fill these gaps highlights the extent of the problem. Across Canada, oversight agencies vary widely in what information they release. In many cases, detailed data about investigations and outcomes are not publicly available. This makes it difficult to assess how often police are held accountable, how decisions are made, or whether patterns exist across cases. Without consistent and accessible data, it is nearly impossible to evaluate whether oversight systems are working as intended.

From an international human rights perspective, these findings raise additional concerns. Global standards, including those outlined in the *Minnesota Protocol* and the *Principles on the Investigation of Potentially Unlawful Death,* emphasize independence, transparency, and meaningful participation of families in investigative processes. The experiences documented in this report, particularly those expressed by families, regarding limited access to information, delays, and lack of procedural care, highlight that Canadian oversight practices are falling short of these international benchmarks.

The findings point to a paradox at the heart of civilian oversight in Canada. While these agencies are intended to enhance legitimacy and accountability, their limited authority, high legal thresholds, and operational constraints appear to undermine these goals.

CONCLUSION

Our report is not suggesting that oversight is unnecessary. Rather, we highlight the need to critically reassess its current design and function. The impacts on families, including lack of accounting for grief, trauma and exclusion, further indicate that oversight processes are not only legal mechanisms but also social and relational ones, with significant consequences for perceptions of justice.

More robust models of accountability should be centered on the needs of families, and may require expanded mandates, greater independence from policing institutions, standardized data collection, and enhanced transparency. We hope that communities will take this forward and will develop recommendations and calls for action in their own community.

> At a time when deaths involving police are increasing, the questions raised here are becoming more urgent. Public confidence in oversight will depend not only on whether these agencies exist, but on whether they can demonstrate that they can deliver outcomes that are meaningful for communities.

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APPENDIX 1:

DETAILS ON OVERSIGHT AGENCIES

(ALBERTA)

Serious Incident Response Team (ASIRT)

Created in 2008, ASIRT investigates serious injury, death, and serious criminal allegations involving police. It conducts investigations with seconded police officers and forwards findings to Crown prosecutors. As of December 2025, ASIRT has been integrated into a new agency called the Police Review Commission (PRC). PRC was established under the Police Amendment Act, 2022 that operates under the Police Act, 2000 . ASIRT can lay criminal charges, where the “Department of Justice advises if there is a reasonable likelihood of conviction and if prosecution is in the public interest”.

(BRITISH COLUMBIA)

Independent Investigations Office (IIO)

Created in 2012 after the Braidwood Inquiry, the IIO investigates police-involved deaths and serious injuries. Investigations are civilian led. The IIO was established by the Police (Independent Investigations Office) Amendment Act, 2011 and operates under the British Columbia Police Act . The IIO can only recommends charges to Crown Prosecutors, which is the standard practice in the province for all criminal charges.

(MANITOBA)

Independent Investigation Unit (IIU)

Created in 2015 following the Taman Inquiry, the IIU investigates police-involved deaths, serious injuries, and serious allegations under the Police Services Act . It is led by a civilian Director and investigators. The IIU can only recommends charges to Crown Prosecutors.

(NEWFOUNDLAND AND LABRADOR)

Serious Incident Response Team (SIRT)

Established by legislation in 2019 under the Serious Incident Response Team Act, 2017 , NL SIRT investigates police-involved deaths, serious injuries, and serious misconduct with civilian and seconded police officer investigators. The SIRT Director can lay charges in consultation with the Director of Public Prosecution.

(NOVA SCOTIA)

Serious Incident Response Team (SiRT)

Operating since 2012 under the Police Act , SiRT investigates police-involved deaths, serious injuries, sexual violence, and domestic violence cases. It conducts investigations with civilian and seconded police officers. In February of 2023, it became a joint provincial agency to do investigations for New Brunswick and Prince Edward Island. The SiRT can lay criminal charges.

(ONTARIO)

Special Investigations Unit (SIU)

Established in 1990 under the Special Investigations Unit Act, 2019, the SIU investigates police-involved deaths, serious injuries, and sexual assault allegations. The SIU uses civilian investigators, but civilian can mean that investigators are former police officers. The SIU Director can lay criminal charges.

(QUEBEC)

Bureau des enquêtes indépendantes (BEI)

Operational since 2016 under the Police Act , the BEI investigates police-involved deaths, serious injuries, and firearm discharges. It conducts independent investigations with civilians and seconded police officers. The BEI can only recommend charges to be laid, which are considered by “the Director of Criminal and Penal Prosecutions, as this is the standard practice for all criminal charges”.

(SASKATCHEWAN)

Serious Incident Response Team (SIRT)

Created in 2023 under the Police Act, 1990 , SIRT investigates police-involved deaths, serious injuries, and allegations of serious misconduct. It is civilian-led and independent and submits completed investigations to Crown prosecutors. Saskatchewan’s SIRT does not have the capacity to lay criminal charges, with this authority enabled only by the Attorney General in the province.

(11)
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