

MEDIA RELEASE

FOR IMMEDIATE RELEASE: 21 March 2020

Update regarding Ontario Civilian Police Commission investigation into human rights complaint against Deputy Chief Jaswal

(Ottawa)-Today, March 21, 2020, the Ottawa Police Services Board met to consider the implications of the notice received from the Ontario Civilian Police Commission earlier this week, advising that it had issued a Notice of Hearing alleging three counts of misconduct under the *Police Services Act* against Deputy Chief Uday Jaswal.

In light of the nature of the charges, and considering the Board's responsibilities under the *Police Services Act*, the Board passed the resolution set out below, suspending Deputy Chief Jaswal with pay from his duties with the Ottawa Police Service, effective immediately, pending the outcome of the Commission proceedings, recognizing always that this does not constitute a determination of the merits of the allegations against Deputy Jaswal:

WHEREAS the Ottawa Police Services Board (the "Board") received a copy of a complaint to the Ontario Human Rights Tribunal (the "human rights complaint") dated August 6, 2019, naming Deputy Chief Uday Jaswal as the respondent;

AND WHEREAS the human rights complaint contained allegations of sexual harassment and sexual solicitation or advances by Deputy Chief Uday Jaswal involving a subordinate member of the Ottawa Police Service;

AND WHEREAS on September 11, 2019, the Board reviewed the complaint and, having done so, thereafter asked the Ontario Civilian Police Commission (the "Commission") to cause the complaint to be promptly investigated, in accordance with subsection 77(4) of the *Police Services Act*;

AND WHEREAS by correspondence dated September 26, 2019, the Commission advised the Board that it "had decided, on its own motion and after reviewing the Board's request, to initiate an investigation pursuant to s. 25 of the *Police Services Act* ("PSA") into the conduct of Deputy Chief Jaswal and the allegations made against him of sexual harassment and unwanted sexual solicitation, sexual attention/advances as detailed in the human rights complaint dated August 6, 2019";

AND WHEREAS on March 16, 2020, the Commission notified the Board that its investigation was complete and that, on March 13, 2020, the Commission had issued a Notice of Hearing against Deputy Chief Jaswal alleging three charges of misconduct contrary to the Code of Conduct; the particulars of which are as follows:

That Deputy Chief Jaswal, without lawful excuse, disobeyed, omitted or neglected to comply with the [Ottawa Police] Service's Respectful Workplace Policy (Policy #3.15, as amended), and thereby engaged in Insubordination pursuant to s.2(1)(b)(ii) of the *Code of Conduct* contained in the Schedule to Ontario Regulation 268/10, and did thereby commit misconduct pursuant to s. 30(1) of the Regulation and s. 80(1)(a) of the Act;

That Deputy Chief Jaswal committed misconduct by acting in a disorderly manner or manner prejudicial to discipline or likely to bring discredit upon the reputation of the police force, and thereby engaged in Discreditable Conduct pursuant to s. 2(1)(a)(xi) of the *Code of Conduct* contained in the Schedule to Ontario Regulation 268/10, and did thereby commit misconduct pursuant to s. 30(1) of the Regulation and s. 80(1)(a) of the Act; and,

That Deputy Chief Jaswal committed misconduct by assaulting another member of the police force, and thereby engaged in Discreditable Conduct pursuant to s. 2(1)(a)(vii) of the *Code of Conduct* contained in the Schedule to Ontario Regulation 268/10, and did thereby commit misconduct pursuant to s. 30(1) of the Regulation and s. 80(1)(a) of the Act.

AND WHEREAS the Board is committed to ensuring a positive and harassment-free workplace for members of the Ottawa Police Service, in accordance with its Positive Workplace Policy, and policies on Equal Opportunity, Discrimination and Workplace Harassment Prevention;

AND WHEREAS the Board is committed to maintaining trust and confidence in the integrity of the Ottawa Police Service, in the eyes of the public and of the members of the Ottawa Police Service;

AND WHEREAS Subsection 89(2) of the *Police Services Act* provides that, where a Deputy Chief is suspected of misconduct as defined in section 80, the board may suspend him or her from duty with pay;

NOW THEREFORE BE IT RESOLVED THAT the Board, having duly considered the seriousness of the charges and all other relevant factors, hereby directs that Deputy Chief Uday Jaswal be suspended from duty with pay in accordance with the Act.

So as not to prejudice the pending proceedings, the Board will be providing no further comment in respect of this matter.

The Ottawa Police Services Board is the civilian body responsible for governing the Ottawa Police Service. It is responsible for the provision of adequate and effective police services to the City of Ottawa's residents.

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